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1989

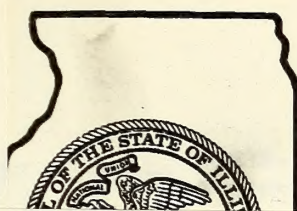
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Illinois register

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ILLINOIS REGISTER

Rules of Governmental Agencies

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Administrative Code Div.
201 West Monroe
Springfield, IL 62756

(217) 782-9786

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1989

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

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COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED RULES

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- COMMISSIONER OF BANKS AND TRUST COMPANIES
- NOTICE OF PROPOSED RULES
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- 1) The Heading of the Part: Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings
- 2) Code Citation: 38 Ill. Adm. Code 350
- 3) Section Numbers: 350.10 Proposed Action: New Section
350.20 New Section
350.30 New Section
350.40 New Section
350.50 New Section

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4) Statutory Authority: Implementing Section 3 and authorized by Section 48(6) of the Illinois Banking Act (Ill. Rev. Stat. 1987, ch. 17, pars. 309 and 359(6)).

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5) A Complete Description of the Subjects and Issues Involved: This proposed rule establishes the general criteria for determining whether an acquisition, development or construction lending transaction is an investment in real estate, a joint venture or a loan.

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6) Will this proposed rule replace an emergency rule currently in effect? No.

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7) Does this rulemaking contain an automatic repeal date? Yes X No

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8) Does this proposed rule contain incorporations by reference? No.

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9) Are there any other proposed amendments pending on this Part? No.

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10) Statement of Statewide Policy Objective: The proposed rule does not create a mandate on units of local government, school districts or community college districts. Only state banks are subject to this proposed rule.

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11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons who desire to comment on this proposed rulemaking may submit their comments in writing no later than 45 days after the publication of this Notice to:

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William L. Conaghan or Mary E. Schroeder
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130
Chicago, Illinois 60604

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- 12) Initial Regulatory Flexibility Analysis? Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: The Department of Commerce and Community Affairs has determined that state banks are not small businesses. Therefore, the proposed rule was not submitted to the Business Assistance Office.
- B) Types of small businesses affected: Small businesses are not affected by this rule.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: N/A

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NOTICE OF PROPOSED RULES

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The full text of the Proposed Rule begins on the next page:

NOTICE OF PROPOSED RULES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER 11: COMMISSIONER OF BANKS AND TRUST COMPANIESPART 350
LOAN AGREEMENTS PROVIDING FOR A BANK TO SHARE IN
PROFITS, INCOME OR EARNINGS

Section

350.10 Purpose

350.20 Definitions

350.30 Permissible ADC Lending Transactions by State Banks

350.40 Characteristics of ADC Lending Transactions Implying

Unauthorized Investments in Real Estate or a Joint Venture

350.50 Characteristics of ADC Lending Transactions Implying Loans

AUTHORITY: Implementing Section 3 and authorized by Section 48(6) of the Illinois Banking Act (Ill. Rev. Stat. 1987, ch. 17, pars. 309 and 359(6)).

SOURCE: Adopted at 13 Ill. Reg. _____,
effective _____.

Section 350.10 Purpose

A method of financing real estate acquisition, development or construction projects is through lending transactions in which the state bank shares in profits, income or earnings generated by the ultimate sale or use of the real estate. These lending transactions are often structured in such a manner that they are in essence an investment in real estate or a joint venture in which the state bank has virtually the same risks and potential rewards as those of an investor or a joint venturer. Investments in real estate or a joint venture are not authorized under Sections 3 or 5 of the Act (Ill. Rev. Stat. 1987, ch. 17, pars. 309 and 311). This Part sets forth the general criteria for determining whether acquisition, development or construction lending transactions are an investment in real estate, a joint venture or a loan.

Section 350.20 Definitions

"ADC lending transaction" means a loan or extension of credit for the purpose of real estate acquisition, development or construction.

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"substantial assets" means tangible, saleable assets other than the acquisition, development and construction project which have a determinable sales value and are not pledged as collateral for other loans.

"substantial equity investment" means any of the following:

- 1) cash payments;
- 2) contribution of land (without considering value expected to be added by future development or construction) or other assets; or
- 3) a reasonable compensation for the borrower's efforts during construction which are not funded by the state bank.

Section 350.30 Permissible ADC Lending Transactions by State Banks

State banks may engage in or purchase participations in ADC lending transactions unless such transactions are structured in such a manner that the state bank has the same risks and potential rewards as those of an investor or a joint venturer in real estate.

Section 350.40 Characteristics of ADC Lending Transactions Implying Unauthorized Investments in Real Estate or a Joint Venture

Factors which may be relevant in determining whether the risks and rewards to the state bank as a result of an ADC lending transaction are similar to those associated with an unauthorized investment in real estate or a joint venture include the following:

- a) The state bank agrees to provide more than 90% of the necessary funds to acquire and develop the property. Although the borrower has title to the underlying property, its equity interest is less than 10% of the funds needed to acquire and develop the property;

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- b) The state bank funds the interest and fees during the term of the loan by adding interest and fees to the loan balance;
- c) The state bank funds the loan commitment or origination fees or both by including them in the amount of the loan;
- d) The loan is secured only by the acquisition, development or construction project. The state bank has no recourse to other assets of the borrower and the borrower does not guarantee the loan;
- e) The ADC lending transaction will not generate income for the state bank unless the property is sold to independent third parties, the borrower obtains refinancing from another source or the property is put to productive use and generates sufficient net cash flow to service debt principal and interest; and
- f) The ADC lending transaction is structured so that foreclosure during the project's development is not possible because the borrower is not required to make any loan payments until the project is complete and therefore the loan cannot become delinquent.

Section 350.50 Characteristics of ADC Lending Transactions
Implying Loans

Factors which may be relevant in determining whether the risks and rewards to the state bank as a result of an ADC lending transaction are similar to those associated with a loan include the following:

- a) The borrower has a substantial equity investment in the acquisition, development or construction project that is not funded by the state bank;
- b) The borrower has provided an irrevocable letter of credit to the state bank from a creditworthy, independent third party for the full amount of the loan and the entire term of the loan;

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- c) A take-out commitment for the full amount of the loan has been obtained from a creditworthy, independent third party. If such take-out commitment is conditional, the conditions must be reasonable and their attainment probable;
- d) Non-cancellable sales contracts or lease commitments from creditworthy, independent third parties are currently in effect and will provide sufficient net cash flow upon completion of the project to service principal and interest. Any associated conditions should be reasonable and their attainment probable; and
- e) The state bank has recourse to substantial assets of the borrower.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Capacity Plates Standards on Various Watercraft

2) CODE CITATION: 17 Ill. Adm. Code 2070

3) SECTION NUMBERS: PROPOSED ACTION:

2070.10
2070.20
2070.30

Amendments
Amendments
Amendments

4) STATUTORY AUTHORITY: Implementing Article V, Section 4 and authorized by Article VIII, Section 3 and Article IX, Section 1 of the Boat Registration and Safety Act (Ill. Rev. Stat. 1987, ch. 95½, pars. 315-4, 318-3 and 319-1).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: This Part is being amended in response to an audit finding that the Department is to have rules for determining weight capacity of boats carrying passengers for hire. Adding the Section numbers to this Part allows the rule to apply to "for hire" boats. The date of effectiveness of 33 CFR 183 was changed to reflect the CFR change.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED RULE CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE, AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER e: LAW ENFORCEMENT

PART 2070

CAPACITY PLATES STANDARDS ON VARIOUS WATERCRAFT

Section
2070.10
2070.20
2070.30

Purpose
Standards - Safe Loading
Standards - Safe Powering

AUTHORITY: Implementing Article V, Section 4 and authorized by Article VIII, Section 3 and Article IX, Section 1 of the Boat Registration and Safety Act (Ill. Rev. Stat. 1987, ch. 95½, pars. 315-4, 318-3 and 319-1).

SOURCE: Added February 5, 1968, effective February 1, 1968; codified at 5 Ill. Reg. 10662; Part repealed at 8 Ill. Reg. 1563, effective January 23, 1984, New part adopted at 8 Ill. Reg. 1973, effective January 27, 1984; amended at 13 Ill. Reg. _____, effective _____.

Section 2070.10 Purpose

These rules prescribe the methods approved by the Department of Conservation for determining the weight-carrying capacity of every vessel subject to the provision of Article V, Section 4, and Article VII, Section 3 of the Boat Registration and Safety Act as amended (Ill. Rev. Stat. 1987, ch. 95½, par. 315-4 and 317-3), and the method for determining the maximum horsepower of outboard motors for all vessels designed or represented by the manufacturer as being suitable for use with outboard motor(s).

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 2070.20 Standards - Safe Loading

The Illinois Department of Conservation adopts the standards contained in 33 CFR 183, Subpart C, (4983)(1988), as its minimum standards for the safe loading testing procedure.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 2070.30 Standards - Safe Powering

The Illinois Department of Conservation adopts the standards contained in 33 CFR 183, Subpart D, (4983)(1988), as its minimum standards for the safe powering test procedure.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

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DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Duck, Goose and Coot Hunting2) CODE CITATION: 17 Ill. Adm. Code 5903) SECTION NUMBERS: PROPOSED ACTION:

590.60

Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: These amendments are being proposed for the purpose of public safety and hunting experience enhancement. Moving the hunting parties further apart in the subimpoundment will lessen the probabilities of accidental injury as well as lessen the conflicts created by crowding. Restricting entry until 4:30 a.m. will lower the exposure time of participants to inclement weather. Removing the electric motor restrictions will still allow hunters to reach hunting sites early enough to set up decoy arrangements prior to shooting hours.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED RULE CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?

Section Numbers	Proposed Action	Illinois Register Citation
590.20	Amendments	13 Ill. Reg. 8189, June 2, 1989
590.25	New Section	13 Ill. Reg. 8189, June 2, 1989

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE, AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

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DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF CONSERVATION
 SUBCHAPTER b: FISH AND WILDLIFE

PART 590
 DUCK, GOOSE AND COOT HUNTING

Section

- 590.10 Statewide Regulations
 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.
 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
 EXHIBIT A The Non-Toxic Shot Zones of Illinois

AUTHORITY: Implementing and authorized by Sections 1-3, 1-4, 1-13 2-1, 2-2, 2-18, 2-19, 2-20, 2-23, 3-5, 3-6, 3-7, 3-8, and 3-10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1-3, 1-4, 1-13, 2-1, 2-2, 2-18, 2-19, 2-20, 2-23, 3-5, 3-6, 3-7, 3-8, and 3-10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. _____, effective _____.

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

- a) Sites covered in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. These sites are:

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- Carlyle Lake Wildlife Management Area
 Clinton Lake State Recreation Area
 Crab Orchard Refuge
 Donnelley State Wildlife Area
 Fox Ridge State Park
 Ft. de Chartres Historic Site
 Heidecke State Fish and Wildlife Area and Powerton Lake
 Horseshoe Lake Conservation Area (Alexander County) Public
 Hunting Area (other than permit area)

Horseshoe Lake State Recreation Area (Madison County)

Kaskaskia River Fish and Wildlife Area

Kidd Lake State Natural Area (no permanent blinds allowed)

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville

Lake Shelbyville Fish and Wildlife Management Area

LaSalle Fish and Wildlife Area

Little Black Slough State Natural Area

Lower Cache River State Natural Area

Mermet Lake Conservation Area

Mississippi River Area Fish and Wildlife Area

Pike County Conservation Area

Powerton Lake (Regulations combined with Heidecke Lake)

Rend Lake Wildlife Management Area

Rice Lake Conservation Area

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Saline County Conservation Area

Sanganois Conservation Area

Sangchris Lake State Park

Shawnee National Forest, Bluff Lake

Shawnee National Forest, LaRue Scatters

Shawnee National Forest, Oakwood Bottoms (West of the Big Muddy Levee)

Stephen A. Forbes State Park

Turkey Bluffs Fish and Wildlife Area (All hunters must sign in and out and report kill; no permanent blinds allowed)

Union County (firing line Waterfowl Management Area)

b) Site specific regulations

i) Waterfowl Hunting Regulations for Carlyle Lake Lands and Waters

A) Shooting hours for waterfowl are statewide opening hour until 1:00 p.m.

B) Waterfowl and coot hunting will be permitted except in clearly posted refuge areas or developed recreation areas, or within 500 feet of construction sites or developed recreation areas.

C) No permanent blinds, goose pits, or other structural works may be constructed or dug on State managed lands at any time, except that the U.S. Army Corps of Engineers may build permanent blinds for disabled or handicapped hunters. All other blinds must be portable in nature or constructed of natural vegetation located at the blind site, and must be removed at the end of the day's hunt.

D) It is unlawful to enter the subimpoundment area 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 3:00 a.m. each day of the duck hunting season, and no one may remain in the area after 3:00 p.m. each day of the duck hunting season. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4.

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E) No one may enter or remain on the waters of Carlyle Lake from 12:00 a.m. (midnight) to 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunter may remain in the area after 3:00 p.m. each day of the waterfowl hunting season.

F) It shall be unlawful to be in possession of firearms on the waters of Carlyle Lake after 3:00 p.m. each day during the waterfowl hunting season and 24 hours prior to the opening day of waterfowl hunting season.

G) Only walk-in hunting will be permitted in the subimpoundment areas. No flotation devices capable of floating a man are allowed. When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Conservation personnel will post that the area is open to boats. Boats are allowed only at these times in the subimpoundment areas.

H) Only waterfowl and coot hunting are allowed in the subimpoundment area during the duck hunting season. On the day following the close of duck season to the close of goose season, the following areas in the Carlyle subimpoundment will be refuge. All of compartments 3 and 4 and that portion of compartment 2 that lies 200 yards south of levee B where the levee runs east and west, and 200 yards west where the levee turns and runs north and south.

I) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season.

J) A minimum of 200 yards shall be maintained between waterfowl hunting parties. (A hunting party shall be defined as an individual, or group of hunters occupying a single boat, blind, or hunting site).

K) No person shall tamper or attempt to manipulate any of the gates, pumps, or structures in the subimpoundment area.

L) No motor driven vehicles are allowed in the subimpoundment area except those operated by Department of Conservation or Corps of Engineers personnel.

M) The lands and waters lying south of a line from the south side of the mouth of Coles Creek on the east side of Carlyle Lake to the south side of the mouth of Allen Branch on the west side of Carlyle Lake is a designated waterfowl refuge and is closed to hunting.

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- N) East Side Management Area from Cox Bridge to the north and east boundary of the State managed land is open to hunting of other species (that are in season) during the waterfowl hunting season. Submanagement area waterfowl regulations apply in this area for waterfowl hunting. Statewide and site specific regulations apply for other species.

2) Clinton Lake

- A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season will be forfeited.

- B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge, and within 200 yards of developed recreation areas, construction and industrial sites, or within 300 yards of electrical power lines.

- C) Hunting parties must maintain a minimum distance of 200 yards apart.

- D) No more than 3 persons shall occupy or use a portable boat blind.

- E) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of each hunting day.

- F) Each hunting party is required to hunt over a minimum of 12 decoys.

3) Donnelley State Wildlife Area

- A) Hunting is prohibited on Tuesdays and Wednesdays.

- B) Hunting hours are from sunrise to 12 Noon.

- C) Goose hunting is prohibited after the close of the duck season.

- D) All hunting will be from designated blinds only. Refilling or changing blinds is not permitted.

- E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.

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- F) \$5 daily usage stamp must be purchased to hunt this area.
- G) No outboard motors are allowed by public - only by authorized DOC personnel.

- H) No more than 3 persons shall occupy a blind at any one time.

- I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 1 p.m.

- J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys which must be removed upon the termination of the hunt.

- K) The first weekend and the third Saturday of the waterfowl season will be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There will be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.

4) Fox Ridge State Park

- A) Hunting restricted to Embarras River and its flood waters.

- B) No permanent blinds of any kind or other structural works are permitted.

- C) No pits shall be dug, built or occupied.

5) Fort de Chartres Historic Site

- A) No check station.

- B) Hunting is allowed from anchored, portable boat blinds only on a first-come, first-served basis; no permanent blinds allowed.

- C) Portable boat blinds must have been completed, including final brushing, before entering the area and must be removed at the end of each hunting day.

- D) Hunting parties must maintain a minimum distance of 200 yards apart.

- E) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

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- F) No hunting is allowed during firearm deer season.
- 6) Heidecke State Fish and Wildlife Area and Powerton Lake
- A) Definitions:
- i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area. The boat blind and all blind materials will be removed at the end of each hunting day.
 - ii) Water blind site - a position within 10 yards of a numbered stake or buoy where a blind may be located.
 - iii) Daily draw - procedure by which blinds or blind sites are allocated daily.
 - iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.
- B) Waterfowl hunting will be permitted on Department leased or managed lands and waters only at designated blind sites.
- C) Water blind sites will be determined by the Department of Conservation and marked with a numbered stake or buoy.
- D) Blind sites will be allocated on a daily draw basis conducted at the check stations 90 minutes before sunrise. At Heidecke Lake hunters shall register as parties for the drawing; each party drawn will be allowed to select blind site in order drawn; only those hunters registered in party will be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- E) Blind sites not selected during the drawing will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after 10:00 a.m.
- F) Hunters wishing to move to another blind site must report this move to the check station attendant, in person, before such a move.

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- G) Hunting will be from boat blinds only.
- H) Access to water blind sites will be by boat only and from designated boat launch sites.
- I) All water hunting must be from portable blind, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.
- J) Daily shooting hours will be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged will be checked in and displayed to the station operator and hunting licenses returned.
- K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- L) No unauthorized pits or blinds will be built on Department leased or managed land or water.
- M) Heidecke Lake will be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake will be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters; and closed to all unauthorized entry during the waterfowl season.
- N) No hunting will be allowed on Monday and Tuesday at Heidecke Lake. No hunting will be allowed at Powerton Lake on Monday through Thursday except hunting will be permitted on State holidays.
- O) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam; however, layout boats approved in advance by the site superintendent will be permitted. A layout boat is defined as a nonmotorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the center dike.

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- P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
- Q) Hunting is closed on Christmas Day.
- R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
- S) It is unlawful to shoot across any dike at Heidecke Lake.
- T) Waterfowl hunting will close with the conclusion of the duck season at Powerton Lake. At Heidecke Lake waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during the September goose season is permitted at Heidecke Lake.
- U) In the event of adverse water and/or weather conditions, such as flooding, high winds, or heavy fog, hunting will be prohibited.
- 7) Horseshoe Lake (Alexander County) Public Hunting Area (other than permit area)
- The refuge area shall be defined as all State owned land and those areas adjacent within the tract of land hereinafter described: Beginning at the intersection of State Highway No. 3 and the Olive Branch-Miller City Road, thence in southerly direction to the intersection of the Olive Branch-Miller City Road and the Promised Land Road, thence easterly to the intersection of the Promised Land Road and Old Highway No. 3, thence northwesterly to intersection of Old Highway No. 3 and State Highway No. 3 and thence northwesterly along State Highway No. 3 to point of beginning at Olive Branch.
- 8) Horseshoe Lake State Recreation Area (Madison County)
- A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.
- B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.
- C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.30(e),

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- will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.
- 9) Kaskaskia River Fish and Wildlife Area
- A) Shooting hours are statewide opening hour until 1:00 p.m. during the waterfowl hunting season. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal shooting hours shall be from statewide opening hour until statewide closing hour. Goose hunting hours end at 1:00 p.m.
- B) All waterfowl hunting parties must use at least 12 decoys and hunt at least 200 yards from the next hunting party.
- C) No permanent blinds will be allowed on the area. No one has any prior claim or right to any blind site. First-come, first-served rule prevails. Blinds shall be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of each day's hunt.
- D) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
- E) No one under 16 years of age shall hunt or attempt to hunt on the area unless accompanied by an adult due to safety factors.
- F) The following regulations apply to the Doza Creek Waterfowl Management Area:
- i) This area will be closed to all public use 3 days prior to waterfowl hunting season. No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
- ii) Waterfowl, coot and archery deer hunting only will be allowed in this area during the duck hunting season.
- 10) Lake Shelbyville
- It is unlawful for any unauthorized persons to enter a duly posted restricted area.

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- 11) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area
- A) Waterfowl hunting will be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook Waterfowl Area, the McGee Waterfowl Area, and the Jonathan Creek Waterfowl Area will be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Drawings will be conducted at each area. Parties will register for drawings between 4:00 a.m. and 5:00 a.m. Central Daylight Time (3:00 a.m. and 4:00 a.m. Central Standard Time) on those days. Each party drawn will be allowed to choose one of the staked sites in the waterfowl area. Parties will select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations will apply:
- All parties must hunt within 10 yards of their assigned stake.
 - All parties must be in place by one-half hour before shooting time.
 - All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek and McGee Waterfowl Areas will be restricted to designated, staked sites on a first-come, first-served basis except as noted in subsections (A) and (B) above. A hunting party must hunt within 10 yards of the stake.
- D) Daily shooting hours will be from legal opening to 1:00 p.m.
- E) Waterfowl hunters must maintain a distance of 200 yards between parties except as described in subsection (B) above. A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site.
- F) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.
- G) The building of permanent blinds of any kind or other structural works is prohibited. All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.

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- H) No goose pits shall be built or dug.
- I) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.
- J) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season.
- K) During the regular waterfowl season, no bank or boat fishing will be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.
- 12) Little Black Slough
- A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.
- B) Dedicated Nature Preserve areas are closed to hunting.
- 13) Lower Cache River State Natural Area
- A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.
- B) Dedicated Nature Preserve areas are closed to hunting.
- 14) Meredosia Lake - Cass County Portion Only
- All boat traffic is prohibited from entering the duly posted Waterfowl Refuge from 1 week before waterfowl season until the season closes.
- 15) Mermet
- A) Waterfowl hunting will be permitted only during the duck hunting season.
- B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who

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wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds will be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by license from having hunting licenses must deposit their Firearm Owner's Identification Cards.

- C) The daily drawing shall be held one hour prior to legal shooting time.
- D) All members of the hunting party shall register as a group (not to exceed 4 people per group) for the purpose of the drawing.
- E) Those hunters in the blind area shall park in designated areas. These parking areas will be numbered to correspond with particular blind sites located along the levee road.
- F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.
- G) Deer, squirrel and woodcock may not be taken in the waterfowl areas after the opening of the waterfowl season.
- H) Daily hunting hours shall be the legal opening until 12:00 Noon, local time.
- I) All boats are prohibited from entering the duly posted waterfowl refuge (Main Lake) from October 1 until the close of the waterfowl season.

16) Mississippi River Area Fish and Wildlife Area

- A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.
- B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.
- C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.60(e), will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing on a day publicly announced by the Department.

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All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

17) Pike County Conservation Area

Statewide season regulations apply except that the season closes November 30 or the legal statewide closing, whichever is earlier, in Area A.

18) Rend Lake Wildlife Management Area

- A) All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.
- B) No goose pits or permanent blinds shall be dug or built on State lands.
- C) ~~Only row boats and boats with electric motors shall be used in the subimpoundment areas during the waterfowl hunting season, except that during the last 14 days of the duck hunting season and until the end of the waterfowl season 19 hp outboard motors or less may be used.~~
- D) ~~All waterfowl hunters and all boats must be out of the subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 3:00 a.m. 4:30 a.m.~~
- E) ~~No hunting will be permitted from the subimpoundment dams.~~
- F) ~~No waterfowl hunting will be permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.~~
- G) ~~The distance between waterfowl hunting parties shall be no less than 100 yards in the Big Muddy and Casey Fork subimpoundment and 200 yards outside the subimpoundment on the remainder of the Area 200 yards. (A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site).~~
- H) ~~All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subimpoundments from 2 weeks before waterfowl season until March 1.~~
- I) ~~All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.~~

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3)I) All waterfowl hunting along an east-west line running 200 yards north of the Casey Fork Subimpoundment Dam will be within 10 feet of staked locations.

K)J) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

L)K) Daily shooting hours for waterfowl will be from legal opening time to 1:00 p.m.

M)L) The land portion of the Rend Lake Refuge is closed to trespassing at all times. The location of the Rend Lake Refuge is described as follows:

- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
- ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
- iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
- iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
- v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
- vi) Bounded on Nason Point by refuge boundary signs at project limits.

19) Rice Lake (Walk-in and Copperas Creek Management Units)

A) Hunting will be alternated between units every other day beginning with opening day at the walk-in unit, and shall be limited to 20 hunters per day.

B) Hunters shall be determined by a daily drawing at the designated check station.

C) Shooting hours shall be from legal opening time until 12:00 Noon. Statewide bag and possession limits apply on this area.

20) Saline County Conservation Area

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A) Waterfowl hunting is allowed north of the township road only.

B) Walk-in hunting only.

21) Sanganois

A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.

B) Walk-in waterfowl hunting will be permitted only in the area posted for this purpose.

C) All hunters using this area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.

D) Upon the completion of hunting, hunters must report to the check station within one hour.

E) Fishing is prohibited in the impoundment areas during the waterfowl season.

F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through December 31.

G) No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season.

22) Sangchris Lake State Park

A) Hunting hours are legal opening until 12:00 Noon.

B) Hunters will participate in daily drawing commencing 2 hours prior to sunrise. Blind sites not selected during the drawings will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated until 9:00 a.m. Further, no blind sites will be allocated after 10:00 a.m.

C) All hunting will be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

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- D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.
- E) There will be a duly posted waterfowl use located at the north end of the lake that will include all waters of the lake located north and at right angles to (in an east and west direction) the peninsula created by the junction of the east and west arms. This area will be closed to all boat traffic and boat fishing during the duck season. Bank fishing along the dam will be permitted.
- F) A waterfowl refuge will be located on State land between the east and west arms of the lake. Additional refuges are located on waters from the junction of the center arm and the east arm of the lake north to the refuge area, the area adjacent to the power plant is utilized as a fly ash pond and the south portion of the west arm will be duly designated as inviolate areas.
- G) Waterfowl hunting will close with conclusion of duck season.
- H) No more than 4 persons shall occupy a blind at one time.
- I) Waterfowl hunting will be permitted on State leased lands and waters in the Sangchris Lake State Park area, except in duly posted refuge areas, developed recreation areas, a minimum of 300 yards from all high lines and 500 feet from construction or industrial sites. The center arm of the lake will be closed to all waterfowl hunting.
- J) Blind sites will be determined by the Department of Conservation and marked with a numbered stake. When it is deemed necessary, the Department of Conservation will remove, move or close blind sites in order to carry out the operations of the overall management program.
- K) Blind sites will be allocated on a daily draw basis.
- L) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.
- M) Access to blind sites will be by boat only and from designated boat launch sites, the West Hill Boat Launch and the East Harbor Boat Launch. A corridor located north of the Middle Peninsula along the southern edge of the existing refuge will be established to provide access to the west arm of the Lake from the East Harbor Boat Launch when the West Hill Boat

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- Launch is closed. Such notice of corridor use will be announced prior to the blind drawing for that day.
- N) All hunting must be from 1 portable blind or 1 anchored portable blind located within a numbered cove and between the assigned numbered stakes. Portable blinds or boat blinds must have been completed, including final brushing, before entering the area, and removed at the end of each hunting day. Cutting of natural vegetation for any purpose will be unlawful.
- O) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- P) No pits or blinds will be built on State leased or Commonwealth Edison land.
- Q) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.
- R) Corridor - Water travel lane, during waterfowl season only, for boating back and forth to blind sites.
- S) Fishing will be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the waterfowl season.
- T) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- U) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Conservation will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- 23) Shawnee National Forest, Bluff Lake
- A) Goose hunting is prohibited.
- B) Shooting hours: legal opening until noon.
- C) No permanent blinds or other structures may be constructed on the site.
- 24) Shawnee National Forest, LaRue Scatters

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

- A) All hunting will be by walking in or in boats without motors.
- B) Shooting hours for all species in this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.

25) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

- A) All hunting will be by walking into the area.
- B) Shooting hours for all species on this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with Statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- D) Each hunting party will be required to hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- E) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.

26) Stephen A. Forbes

- A) Daily hunting hours are legal open to 1:00 p.m.
- B) On the main lake hunting is allowed from a boat blind only and must be within 100 yards of a staked location.
- C) Only walk-in hunting is allowed in the sub-impoundment. Hunting must occur within 100 yards of a staked location.
- D) Hunting will be allowed on a first-come, first-served basis. All hunters must use 12 decoys, minimum.

27) Union County (Firing Line Waterfowl Management Area)

- A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

- B) This area will be closed at 12 noon during the goose season.
- C) Hunters may not possess more than 10 shells nor shot larger than size 1 during the goose season.
- D) Waterfowl hunting from staked sites only.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: The Forest Products Transportation Act

2) CODE CITATION: 17 Ill. Adm. Code 1530

3) SECTION NUMBERS: 1530.60
PROPOSED ACTION: Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by the Forest Products Transportation Act (Ill. Rev. Stat. 1987, ch. 96½, par. 6901 et. seq.)

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
 Amendments to this Part involve grammatical corrections and the addition of a requirement that the date of purchase be included in the paperwork showing proof of ownership. The grammatical changes clarify a somewhat confusing and poorly-worded sentence. The date of purchase was added to ensure that the paperwork actually relates to the logs being handled, not to logs hauled 2 or 3 years ago.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED RULE CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE, AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
 Lincoln Tower Plaza
 524 S. Second Street
 Springfield, Illinois 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 13, 1989

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

B) Types of small businesses affected: Timber Buyers

C) Reporting, bookkeeping or other procedures required for compliance: An additional requirement regarding "date of purchase" has been added under the requirements for "Proof of Ownership."

D) Types of professional skills necessary for complainant: None

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

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NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER d: FORESTRY

7) Statement that the "forest products, tree or trees" have been purchased from the designated seller or are being transported with knowledge and consent of the buyer or that person in possession is an agent or employee of the buyer.

PART 1530
THE FOREST PRODUCTS TRANSPORTATION ACT

8) Date of purchase.

- Section
1530.10 Definitions
1530.20 Intent of Forest Products Transportation Act
1530.30 Correspondence and Inquiries Regarding this Act
1530.40 Enforcement of Act
1530.50 Proof of Ownership
1530.60 Requirements and Format for "Proof of Ownership"
1530.70 Registration
1530.80 Violations (Repealed)
1530.90 Effective Date (Repealed)

b) While a specific form is not required for providing the above required information, a suggested printed format (form U-102-73) may be requested from the Department, and may be imprinted on the letterhead used in the general conduct of business of any "person" in complying with the Act and the Rules and Regulations herein set forth.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

AUTHORITY: Implementing and authorized by the Forest Products Transportation Act (Ill. Rev. Stat. 1987, ch. 96½, par. 6901 et. seq.)

SOURCE: Adopted February 26, 1974, effective March 15, 1974; codified at 5 Ill. Reg. 10655; amended at 7 Ill. Reg. 8765, effective July 15, 1983; amended at 13 Ill. Reg. _____, effective _____.

Section 1530.60 Requirements and Format for "Proof of Ownership"

a) The "proof of ownership" required under the Act and as set forth in these Rules and Regulations shall be complete and contain the following information:

- 1) Point of origin.
- 2) Point of destination.
- 3) Sellers (timber grower's) name, address-and, phone number and signature.
- 4) Transporter's name, address and phone number if different from buyers.
- 5) Buyer's (that person who now owns the transported forest products, tree or trees, as defined in the Act) name, address, phone number and signature.
- 6) Date over-the-road hauling will occur. This date may be a period of time which is inclusive of the timber purchase contract dates.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Areas Designated by Act of Congress

2) Code Citation: 62 Ill. Adm. Code 1761

3) Section Number: Proposed Action

1761.11

Amendment
1761.12

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

On October 25, 1988, OSMRE conditionally approved the Department's amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

The following discussion describes the Department's proposed amendments to Part 1761 in response to these OSMRE directives:

Section 1761.11 sets forth an overview of areas where mining is prohibited or limited. The proposed amendments to Section 1761.11

DEPARTMENT OF MINES AND MINERALS

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serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 761.11, by removing the quarter-mile restriction on the maximum width of wild or scenic river study corridors and by extending the Section 1761.11 prohibitions/limitations to privately-owned places listed on the National Register of Historic Places.

Section 1761.12 sets forth the Department's procedures for determining if mining in an area should be prohibited or limited. The proposed amendments to Section 1761.12 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 761.12, by extending the Section 1761.12 prohibitions/limitations to privately-owned places listed on the National Register of Historic Places.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

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Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1761

AREAS DESIGNATED BY ACT OF CONGRESS

Section

1761.1

1761.11

1761.12

Scope
Areas Where Mining is Prohibited or Limited
Procedures

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, para. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 4933; amended at 11 Ill. Reg. 7976, effective July 1, 1987; amended at Ill. Reg. _____, effective _____, 1990.

Section 1761.11 Areas Where Mining is Prohibited or Limited

Subject to valid existing rights, no surface coal mining operations shall be conducted after August 3, 1977, unless those operations existed on the date of enactment:

- a) On any lands within the boundaries of the National Park System, the National Wildlife Refuge System, the National System of Trails, the National Wilderness Preservation System, the Wild and Scenic Rivers System, including ~~for~~ study rivers designated under section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)), a corridor extending not more than one-quarter (1/4) mile from each bank for the length of the segment being studied or study rivers or study river corridors as established in any guidelines pursuant to that Act, and National Recreation Areas designated by Act of Congress;
- b) On any Federal lands within the boundaries of any national forest; provided, however, that surface coal mining operations may be permitted on such lands, if the Secretary of the United States Department of the Interior (Secretary) finds that there are no significant recreational, timber, economic, or other values which may be incompatible with surface coal mining operations; and surface operations and impacts are incident to an underground coal mine;
- c) On any lands which will adversely affect any publicly owned park or any ~~publicly owned~~ places included on the National Register of Historic Places, unless approved jointly by the Department and the Federal, State or local agency with jurisdiction over the park or

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places;

- d) Within one hundred (100) feet measured horizontally of the outside right-of-way line of any public road, except:

- 1) Where mine access roads or haulage roads join such right of way lines; or
- 2) Where the Illinois Department of Mines and Minerals (Department) and the public road authority with jurisdiction over the road under Illinois law allow the public road to be relocated, closed, or the area affected, including surface areas impacted by planned subsidence, to be within one hundred (100) feet of such road, after:
 - A) Public notice and opportunity for a public hearing in accordance with Section 1761.12(c); and
 - B) Making a written finding that the interests of the affected public and landowners will be protected;

- e) Within three hundred (300) feet measured horizontally, from any occupied dwelling in existence, under construction, or contracted for at the time of public notice, except when:

- 1) The owner thereof has provided a written waiver consenting to surface coal mining operations closer than three hundred (300) feet; or
- 2) The part of the mining operation which is within three hundred (300) feet of the dwelling is a haul road or access road which connects with an existing public road on the side of the public road opposite the dwelling;

- f) Within three hundred (300) feet measured horizontally of any public building, school, church, community or institutional building, or public park; or

- g) Within one hundred (100) feet measured horizontally of a cemetery.

- h) There will be no surface coal mining, permitting, licensing or exploration of Federal lands in the National Park System, National Wildlife Refuge System, National System of Trails, National Wilderness Preservation System, Wild and Scenic Rivers System, or National Recreation Areas, unless called for by Acts of Congress.

(Source: Amended at ___ Ill. Reg. ____, effective ____, 1990)

DEPARTMENT OF MINES AND MINERALS

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Section 1761.12 Procedures

- a) Upon receipt of a complete application for a surface coal mining and reclamation operation permit, the Department shall review the application to determine whether surface coal mining operations are limited or prohibited under Section 1761.11 on the lands which would be disturbed by the proposed operations.

- b) 1) Where the proposed operation would be located on any lands listed in Section 1761.11(a), (f) or (g), the Department shall reject the application if the applicant has no valid existing rights for the area or if the operation did not exist on August 3, 1977.

- 2) If the Department is unable to determine whether the proposed operation is located within the boundaries of any of the lands in Section 1761.11(a) or closer than the limits provided in Section 1761.11(f) and (g), the Department shall transmit a copy of the relevant portions of the permit application to the appropriate Federal, State, or local government agency for a determination or clarification of the relevant boundaries or distances, with a notice to the appropriate agency that it must respond within thirty (30) days of receipt of the request. The National Park Service or the U.S. Fish and Wildlife Service shall be notified of any request for a determination of valid existing rights pertaining to areas within the boundaries of areas under their jurisdiction and shall have thirty (30) days from receipt of the notification in which to respond. The Department, upon request by the appropriate agency, shall grant an extension to the 30-day period of an additional thirty (30) days. If no response is received within 30-day period or within the extended period granted, the Department may make the necessary determination based on the information it has available.

- c) Where the proposed mining operation is proposed to be conducted within one hundred (100) feet measured horizontally of the outside right-of-way line of any public road (except as provided in Section 1761.11(d)(2)) or where the applicant proposes to relocate or close any public road, the Department and the public road authority with jurisdiction over the road under Illinois law shall:

- 1) Require the applicant to obtain necessary approvals of the authority with jurisdiction over the public road;
- 2) Provide public notice in a newspaper of general circulation of the affected locale of an opportunity for a public hearing in

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the locality of the proposed mining operation for the purpose of determining whether the interests of the public and affected landowners will be protected;

- 3) If a public hearing is requested, provide appropriate advance notice of the public hearing, to be published in a newspaper of general circulation in the affected locale at least two (2) weeks prior to the hearing; and
- 4) Make a written finding based upon information received at the public hearing within thirty (30) days after completion of the hearing, or after any public comment period ends if no hearing is held, as to whether the interests of the public and affected landowners will be protected from the proposed mining operations. No mining shall be allowed within one hundred (100) feet of the outside right-of-way line of a road, nor may a road be relocated or closed, unless the Department and public road authority determines that the interests of the public and affected landowners will be protected.

d)

- 1) Where the proposed surface coal mining operations would be conducted within three hundred (300) feet, measured horizontally, of any occupied dwelling, the permit applicant shall submit with the application a written waiver by lease, deed or other conveyance from the owner of the dwelling, clarifying that the owner and signatory had the legal right to deny mining and knowingly waived that right. The waiver shall act as consent to such operations within a closer distance of the dwelling as specified.

- 2) Where the applicant for a permit after August 3, 1977, had obtained a valid waiver prior to August 3, 1977, from the owner of an occupied dwelling to mine within three hundred (300) feet of such dwelling, a new waiver shall not be required.

3)

- A) Where the applicant for a permit after August 3, 1977, had obtained a valid waiver from the owner of an occupied dwelling, that waiver shall remain effective against subsequent purchasers who had actual or constructive knowledge of the existing waiver at the time of purchase.
- B) A subsequent purchaser shall be deemed to have constructive knowledge if the waiver has been properly filed in public property records pursuant to State laws or if the mining has proceeded to within the three hundred (300) foot limit prior to the date of purchase.

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e)

- 1) Where the Department determines that the proposed surface coal mining operation will adversely affect any publicly owned park or any ~~publicly owned~~ place included in the National Register of Historic Places, the Department shall transmit to the Federal, State, or local agencies with jurisdiction over the publicly owned park or National Register place a copy of applicable parts of the permit application together with a request for that agency's approval or disapproval of the operation, and a notice to that agency that it has thirty (30) days from receipt of the request within which to respond and that failure to interpose a timely objection will constitute approval. The Department, upon request by the appropriate agency, may grant an extension to the 30-day period of an additional thirty (30) days. Failure to interpose an objection within thirty (30) days of the extended period granted shall constitute an approval of the proposed permit.

- 2) A permit for the operation shall not be issued unless jointly approved by all affected agencies.

- f) If the Department determines that the proposed surface coal mining operation is not prohibited under Section 7.01 of the State Act and this Part, it may nevertheless, pursuant to appropriate petitions, designate such lands as unsuitable for all or certain types of surface coal mining operations pursuant to 62 Ill. Adm. Code 1762 or 1764.

- g) A determination by the Department that a person holds or does not hold a valid existing right or that surface coal mining operations did or did not exist on the date of enactment shall be subject to administrative and judicial review under 62 Ill. Adm. Code 1775.11 and 1775.13.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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- 1) Heading of the Part: Bonding and Insurance Requirements for Surface Coal Mining and Reclamation Operations
- 2) Code Citation: 62 Ill. Adm. Code 1800

Section Number:	Proposed Action
1800.21	Amendment
1800.40	Amendment
1800.60	Amendment

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

The Illinois Department of Mines and Minerals (Department) has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under the Surface Mining Control and Reclamation Act of 1977. The following discussion describes the Department's proposed amendments to Part 1800 in response to these agency concerns:

Section 1800.21 sets forth the Department's requirements for collateral bonds, in conformance with 30 CFR 800.21. The Department proposes to amend Section 1800.21(b)(4) to ensure that the ten percent (10%) capital and surplus accounts limitation for letters of credit is applied on a cumulative rather than on an individual basis.

Section 1800.40 sets forth the Department's requirements for bond release, in conformance with 30 CFR 800.40. The Department proposes to amend Section 1800.40 as follows:

The thirty (30) day period for submitting the certificate of publication in Section 1800.40(a)(2) is burdensome to the operator. Even if the filing date and date of first publication occur on the same day, the operator would have at most eight (8) days to obtain the certificate from the newspaper publisher and forward it to the Department. Several operators pay for and receive such receipts from out-of-state addresses. If several days pass after filing the bond release application before the news ad is run, as in the case of a weekly paper, the thirty (30) day time period for publication and submission of the certificate may not be adequate. The operator has no control over the procedures and timeliness of the newspaper

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

publisher in billing and/or providing a certificate of publication. Amending Section 1800.40(a)(2) to provide for a forty-five (45) day time frame is viewed as a reasonable compromise between the need for prompt submittal and these practical considerations.

The Department proposes to delete the reference to "informal conferences" in Section 1800.40(a)(2) since this particular procedure is not provided by any other subsection within Section 1800.40.

The word "receipt" in Section 1800.40(b)(1) should be replaced by the word "filing" to be consistent with other parts of this rule.

The thirty (30) day period in which to conduct the inspection set forth in Section 1800.40(b)(1) should be extended to sixty (60) days. As Section 1800.40(b)(1) now reads, the Department could receive requests for inspection, objections, etc. as late as the 30th day after the fourth news advertisement. It makes little sense to schedule the bond release inspection until all of these concerns are known. A sixty (60) day period would give an inspector a full work week in which to schedule the inspection following the end of the public comment period.

The proposed changes to Section 1800.40(b)(1) would necessitate changes in the time periods for the final bond release decision set forth in Section 1800.40(b)(2). The sixty (60) day period in Section 1800.40(b)(2) should be changed to ninety (90) days to allow the Department sufficient time to address any objections raised to the bond release application. In addition, a sixty (60) day notification period after a public hearing is needed given that current Section 1800.40(h) allows the hearing officer thirty (30) days after the closure of the hearing record to serve the Department with a final bond release decision. Clearly, the Department cannot issue its decision within thirty (30) days of the hearing if the hearing officer has thirty (30) days, plus some unknown number of days during which the record may be left open, before issuing a bond release decision. Changing the thirty (30) day time period to a sixty (60) day time frame would allow adequate time for the record to be left open and for the hearing officer to issue and serve his final administrative decision.

Section 1800.40(b)(2) should be amended to add the words "nearest municipality". This amendment would cause a certified mailing of the bond release decision to the nearest municipality at least thirty-five (35) days prior to the Department's issuance of the SML-7 (bond release) form. By amending Section 1800.40(b)(2) in that manner, the Department would then delete Section 1800.40(e). The operator already sends a notice of proposed bond release to the nearest municipality. That notice, together with the existence of news advertisements and

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the filing of the bond release application in the county courthouse, provides ample notice to the public and makes Section 1800.40(e) redundant.

Using the same logic as that submitted in support of the proposed amendments for Section 1800.40(b)(1), the public hearing on a bond release application provided by current Section 1800.40(f) should only be held after the time period for requesting such a hearing has expired. There should not be a need for more than one administrative hearing on a bond release application. As the regulations now read a person could request a hearing promptly after reading the first news advertisement. A public hearing would be held based on this request within thirty (30) days although a second hearing request could be submitted within the thirty (30) day period after the last news advertisement. Thus, current Section 1800.40(f) should be amended to provide that a public hearing is held within sixty (60) days after receipt of the request for hearing.

All references to subsection (f) in Section 1800.40 would need to be changed to subsection (e) given the deletion of current subsection (e). In addition, current subsections (g) through (i) would have to be redesignated as, respectively, subsections (f) through (h).

Section 1800.60 sets forth the Department's requirements for liability insurance. The proposed amendments to Section 1800.60 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 800.60.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

DEPARTMENT OF MINES AND MINERALS
NOTICE OF PROPOSED AMENDMENTS

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING
CHAPTER 1: DEPARTMENT OF MINES AND MINERALSPART 1800
BONDING AND INSURANCE REQUIREMENTS FOR
SURFACE COAL MINING AND RECLAMATION OPERATIONS

Section	Scope and Purpose
1800.1	Objective (Repealed)
1800.2	Department Responsibilities
1800.3	Definitions
1800.4	Requirement to File a Bond
1800.5	Form of the Performance Bond
1800.6	Period of Liability
1800.7	Determination of Bond Amount
1800.8	Adjustment of Amount
1800.9	General Terms and Conditions of Bond
1800.10	Bonding Requirements for Underground Coal Mines and Long-term Coal-related Surface Facilities and Structures
1800.11	Surety Bonds
1800.12	Collateral Bonds
1800.13	Replacement of Bonds
1800.14	Requirement to Release Performance Bonds
1800.15	Forfeiture of Bonds
1800.16	Terms and Conditions for Liability Insurance
1800.17	

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 9354; amended at 11 Ill. Reg. 7985, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1800.21 Collateral Bonds

- a) Collateral bonds, except for letters of credit and cash accounts, shall be subject to the following conditions:
- 1) The Department shall keep custody of collateral deposited by the applicant until authorized for release or replacement as provided in Sections 1800.30 and 1800.40.
 - 2) The Department shall value collateral at its current market value, not at face value.

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- 3) The Department shall require that certificates of deposit be made payable to or assigned to the Department both in writing and upon the records of the bank issuing the certificates. If assigned, the Department shall require the banks issuing these certificates to waive all rights of setoff or liens against those certificates.
 - 4) The Department shall not accept an individual certificate of deposit in an amount in excess of one hundred thousand dollars (\$100,000) or the maximum insurable amount as determined by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.
- b) Letters of credit shall be subject to the following conditions:
- 1) The letter may only be issued by a bank organized or authorized to do business in the United States ("issuing bank"). If the issuing bank does not have an office for collection in Illinois, there shall be a confirming bank designated that is authorized to accept, negotiate and pay the letter upon presentation in Illinois.
 - 2) Letters of credit shall be irrevocable during their terms. A letter of credit used as security in areas requiring continuous bond coverage shall be forfeited and shall be collected by the Department if not replaced by other suitable bond or letter of credit at least thirty (30) days before its expiration date.
 - 3) The letter of credit shall be payable to the Department upon demand, in part or in full, upon receipt from the Department of a notice of forfeiture issued in accordance with Section 1800.50.
 - 4) The Department shall not accept a letter of credit in excess of ten percent (10%) of the issuing bank's total capital and surplus accounts, as certified by the President of the bank providing the letter of credit and as evidenced by the most recent quarterly Call Report provided to the Federal Deposit Insurance Corporation. The ten percent (10%) limit, as used in this subsection, shall be a cumulative total of all letters of credit submitted to the Department by any one issuing bank.
 - 5) The letter of credit shall provide on its face that the Department, its lawful assigns, or the attorneys for the Department or its assigns, may sue, waive notice and process, appear on behalf of, and confess judgment against the issuing bank (and any confirming bank) in the event that the letter of credit is dishonored. The letter of credit shall be deemed to

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be made in Sangamon County, Illinois, for the purpose of enforcement and any actions thereon shall be enforceable in the Courts of Illinois, and shall be construed under Illinois law.

c) Cash accounts shall be subject to the following conditions:

1) The Department may authorize the permittee to supplement the bond through the establishment of a cash account in one or more federally-insured or equivalently protected accounts made payable upon demand to, or deposited directly with, the Department. The total bond including the cash account shall not be less than the amount required under terms of performance bonds including any adjustments, less amounts released in accordance with Section 1800.40.

2) Any interest paid on a cash account shall be retained in the account and applied to the bond value of the account unless the Department has approved the payment of interest to the permittee.

3) Certificates of deposit may be substituted for a cash account in accordance with subsection (a).

4) The Department shall not accept an individual cash account in an amount in excess of one hundred thousand dollars (\$100,000) or the maximum insurable amount as determined by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

d)

1) The estimated bond value of all collateral posted as assurance under Section 1800.21 shall be subject to a margin which is the ratio of bond value to market value, as determined by the Department. The margin shall reflect legal and liquidation fees, as well as value depreciation, marketability, and fluctuations which might affect the net cash available to the Department to complete reclamation.

2) The bond value of collateral may be evaluated at any time, but it shall be evaluated as part of permit renewal and, if necessary, the performance bond amount increased or decreased. In no case shall the bond value of collateral exceed the market value.

e) Persons with an interest in collateral posted as a bond, and who desire notification of actions pursuant to the bond, shall request the notification in writing to the Department at the time collateral is offered.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1800.40 Requirement to Release Performance Bonds

a) Bond release application.

1) The permittee may file an application with the Department for the release of all or part of a performance bond at any time.

2) Within ~~thirty~~ ⁽⁴⁵⁾ days after an application for bond release has been filed with the Department, the operator shall submit a copy of an advertisement placed at least once a week for four (4) successive weeks in a newspaper of general circulation in the locality of the surface coal mining operation. The advertisement shall be considered part of any bond release application and shall contain the permit number and approval date, notification of the precise location of the land affected, the number of acres, the type and amount of the bond filed and the portion sought to be released, the type and appropriate dates of reclamation work performed, a description of the results achieved as they relate to the operator's approved reclamation plan, and the name and address of the Department to which written comments, objections, or requests for public hearings ~~and informal conferences~~ on the specific bond release may be submitted pursuant to subsection 1800.40(f)(e). In addition, as part of any bond release application, the applicant shall submit copies of letters which he or she has sent to adjoining property owners, local governmental bodies, planning agencies, sewage and water treatment authorities, and water companies in the locality in which the surface coal mining and reclamation operation took place, notifying them of the intention to seek release from the bond.

b) Inspection by Department.

1) Upon ~~receipt~~ ^{filing} of the bond release application, the Department shall, within ~~thirty~~ ⁽³⁰⁾ ~~sixty~~ ⁽⁶⁰⁾ days, or as soon thereafter as weather conditions permit, conduct an inspection and evaluation of the reclamation work involved. The evaluation shall consider, among other factors, the degree of difficulty to complete any remaining reclamation, whether pollution of surface and subsurface water is occurring, the probability of future occurrence of such pollution, and the estimated cost of abating such pollution. The surface owner, agent, or lessee shall be given notice of such inspection and may participate with the Department in making the bond release

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inspection. The Department may arrange with the permittee to allow access to the permit area, upon request by any person with an interest in bond release, for the purpose of gathering information relevant to the proceeding.

- 2) Within ~~sixty~~ (60) ninety (90) days from the filing of the bond release application, if no public hearing is held pursuant to subsection (f) (e), or, within ~~thirty~~ (30) sixty (60) days after a public hearing has been held pursuant to subsection (f) (e), the Department shall serve, by certified mail, the permittee, the nearest municipality, the surety, or other persons with an interest in bond collateral who have requested notification under Section 1800.21(e), and the persons who either filed objections in writing or objectors who were a party to the hearing proceedings, if any, its final administrative decision to release or not to release all or part of the performance bond.

- c) The Department may release all or part of the bond for the entire permit area or incremental area if the Department is satisfied that all the reclamation or a phase of the reclamation covered by the bond or portion thereof has been accomplished in accordance with the following schedules for reclamation of Phases I, II, and III:

- 1) At the completion of Phase I, after the operator completes the backfilling, regrading (which includes the replacement of topsoil) and drainage control of a bonded area in accordance with the approved reclamation plan, sixty (60) percent of the bond or collateral for the applicable area.

- 2) At the completion of Phase II, after revegetation has been established on the regraded mined lands in accordance with the approved reclamation plan, an additional amount of bond. When determining the amount of bond to be released after successful revegetation has been established, the Department shall retain that amount of bond for the revegetated area which would be sufficient to cover the cost of reestablishing revegetation if completed by a third party and for the period specified for operator responsibility in Section 6.08(d)(2) of the State Act for reestablishing revegetation. No part of the bond or deposit shall be released under subsection (c)(2) so long as the lands to which the release would be applicable are contributing suspended solids to streamflow or runoff outside the permit area in excess of the requirements set by Section 3.10 of the State Act and by 62 Ill. Adm. Code 1816 or 1817 or until soil productivity for prime farmland has returned to the equivalent levels of yield as nonmined land of the same soil type in the surrounding area under equivalent management

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practices as determined from the soil survey performed pursuant to Section 2.02(a) of the State Act and 62 Ill. Adm. Code 1823. Where a silt dam is to be retained as a permanent impoundment pursuant to 62 Ill. Adm. Code 1816 or 1817, the Phase II portion of the bond may be released under this subsection so long as provisions for sound future maintenance by the operator or the landowner have been made with the Department.

- 3) At the completion of Phase III, after the operator has completed successfully all surface coal mining and reclamation activities, the release of the remaining portion of the bond, but not before the expiration of the period specified for operator responsibility in 62 Ill. Adm. Code 1816.116 or 1817.116. However, no bond shall be fully released under subsection (c)(3) until the reclamation requirements of the State Act and the permit are fully met.

- d) If the Department disapproves the application for release of the bond or portion thereof, the Department shall notify the permittee, the surety, and any person with an interest in collateral as provided for in Section 1800.21(e), in writing, stating the reasons for disapproval and recommending corrective actions necessary to secure the release and allowing an opportunity for a public hearing, pursuant to subsection (f).

- e) When any application for total or partial bond release is filed with the Department, the Department shall notify the municipality in which the surface coal mining operation is located by certified mail at least thirty (30) days prior to the release of all or a portion of the bond.

- f) Any person with a valid legal interest which might be adversely affected by release of the bond, or the responsible officer or head of any Federal, State, or local governmental agency which has jurisdiction by law or special expertise with respect to any environmental, social, or economic impact involved in the operation or which is authorized to develop and enforce environmental standards with respect to such operations, shall have the right to file written objections to the proposed release from bond with the Department within thirty (30) days after the last publication of the notice required by subsection 1800.40(a)(2). If written objections are filed and a hearing is requested, the Department shall inform all the interested parties of the time and place of the hearing, and shall hold a public hearing within ~~thirty~~ (30) sixty (60) days after receipt of the request for the hearing. The date, time, and location of the public hearing shall be advertised by the Department in a newspaper of general circulation in the locality for two (2) consecutive weeks. The public hearing shall be held in the locality

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of the surface coal mining operation from which bond release is sought, at the location of the Department's office, or at the State capital, at the option of the objector. The hearing officer shall be an employee of the Department or a licensed attorney.

f For the purpose of the hearing under subsection (f) (e), the Department shall have the authority to administer oaths and affirmations, subpoena witnesses and written or printed materials, compel the attendance of witnesses or the production of these materials, and take evidence including, but not limited to, inspection of the land affected and other surface coal mining operations carried on by the applicant in the general vicinity. All discovery shall be conducted in accordance with 62 Ill. Adm. Code 1843.21. A verbatim record of each public hearing shall be made, and a transcript shall be made available on request of any party or by order of the Department. Ex parte contacts between the parties, and their representatives, and the hearing officer, are prohibited.

g Within thirty (30) days after the close of the hearing record, the hearing officer shall issue and serve the Department, and by certified mail, the permittee and any objectors to bond release with written findings of fact, conclusions of law and an order adjudicating the application for bond release. Service of this final administrative action shall be deemed complete upon mailing.

h Judicial review. Following service of the final administrative decision of the Department under subsections (b)(2) and (h) (g), the permittee or any affected person may request judicial review of that decision in accordance with Article III of the Code of Civil Procedure (Ill. Rev. Stat. 1985, ch. 110, pars. 3-101 through 3-112.)

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1800.60 Terms and Conditions for Liability Insurance

a) The Department shall require the applicant to submit as part of its permit application a certificate issued by an insurance company authorized to do business in Illinois certifying that the applicant has a public liability insurance policy in force for the surface coal mining and reclamation operations for which the permit is sought. Such policy shall provide for personal injury and property damage protection in an amount adequate to compensate any persons injured or property damaged as a result of the surface coal mining and reclamation operations, including the use of explosives, and who are entitled to compensation under the applicable provisions of State law. Minimum insurance coverage for bodily injury and property damage shall be three hundred

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thousand dollars (\$300,000) for each occurrence and five hundred thousand dollars (\$500,000) aggregate.

b) The policy or approved replacement thereof shall be maintained in full force during the life of the permit or any renewal thereof, and ~~including~~ the liability period necessary to complete all reclamation operations under 62 Ill. Adm. Code 1800 - 1850.

c) The policy shall include a rider requiring that the insurer notify the Department whenever substantive changes are made in the policy including any termination or failure to renew.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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- 1) Heading of the Part: General
- 2) Code Citation: 62 Ill. Adm. Code 1700
- 3) Section Number: 1700.11
Proposed Action
Amendment
- 4) Statutory Authority:
Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

The Illinois Department of Mines and Minerals ("Department") has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under the Surface Mining Control and Reclamation Act of 1977. The following discussion describes the Department's proposed amendments to Part 1700 in response to these agency concerns:

Section 1700.11 sets forth the applicability of the Department's rules codified at 62 Ill. Adm. Code 1700-1850. The proposed amendments to Section 1700.11 limits the applicability of these rules to active surface coal mining operations, in conformance to 30 CFR 701.11.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

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The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1700
GENERAL

Section

- 1700.11 Applicability
- 1700.12 Petitions to Initiate Rulemaking
- 1700.13 Notice of Citizen Suits
- 1700.14 Availability of Records
- 1700.15 Computation of Time
- 1700.16 Fees and Forfeitures
- 1700.17 Administration
- 1700.18 Advisory Council on Reclamation

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 9347; amended at 11 Ill. Reg. 8051, effective July 1, 1987; amended at Ill. Reg. _____, effective _____, 1990.

NOTE: Bold face type denotes statutory language.

Section 1700.11 Applicability

- a) These regulations apply to all coal exploration and surface coal mining and ~~reclamation~~ operations, except:

- 1) The extraction of coal by a landowner or lessee for the landowner's or lessee's own noncommercial use from land owned or leased by him or her where two hundred and fifty (250) tons or less of coal are removed in any twelve (12) consecutive months. Noncommercial use does not include the extraction of coal by one (1) unit of an integrated company or other business or nonprofit entity which uses the coal in its own manufacturing or power plants;
- 2) The extraction of coal incidental to the extraction of other minerals where coal does not exceed sixteen and two-thirds percent (16 2/3%) of the total mineral tonnage mined. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.06(b));
- 3) Coal exploration on lands subject to the requirements of 43 CFR 3480-3487 (1986); and

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- 4) The extraction of coal on Federal lands except to the extent provided under a cooperative agreement with the United States. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.06(d)).

- b) The Illinois Department of Mines and Minerals (Department) shall, within sixty (60) days of a request from any person who intends to conduct surface coal mining operations, make a written determination whether the operation is exempt under subsection (a). The Department shall, within thirty (30) days of receipt of a request for exemption under subsection (a), publish notice of the request in a newspaper of general circulation in the area of the proposed exempted operation and send the request to interagency members. Prior to the time a determination is made, any person may submit, and the Department shall consider, any written information relevant to the determination. A person requesting that an operation be declared exempt shall have the burden of establishing the exemption. If a written determination of exemption is reversed through subsequent administrative or judicial action, any person who has made a complete and accurate request for an exemption and relied upon the determination shall not be cited for violations which occurred prior to the date of the reversal.

- c) The requirements of 62 Ill. Adm. Code 1800 through 1850 (the permanent program regulations) apply to all surface coal mining and reclamation operations for which the surface coal mining operation is required to obtain a permit under the State Act on and after February 1, 1983.

- d) 1) Each structure used in connection with a coal exploration or surface coal mining and reclamation operations shall comply with the performance standards and the design requirements of the permanent program regulations except that:

- A) The Department shall exempt an existing structure which meets the performance standards of the permanent program regulations but does not meet the design requirements of the permanent program regulations from meeting those design requirements. The Department shall grant this exemption as part of the permit application process after obtaining the information 62 Ill. Adm. Code 1780.12 or 1784.12 require and after the Department makes the findings required in 62 Ill. Adm. Code 1773.15(c)(6) and;

- B) If a performance standard in 62 Ill. Adm. Code 280

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(interim program regulations) is at least as stringent as the comparable performance standard of the permanent program regulations, an existing structure which meets the performance standards of the interim program regulations shall be exempted by the Department from meeting the design requirements of the permanent program regulations. The Department shall grant this exemption as part of the permit application process after obtaining the information 62 Ill. Adm. Code 1780.12 or 1784.12 require and after the Department makes the findings required in 62 Ill. Adm. Code 1773.15(c)(6).

- 2) The exemptions provided in subsections (d)(1)(A) and (d)(1)(B) shall not apply to:
 - A) The requirements for existing and new waste piles used either temporarily or permanently as dams or embankments; and
 - B) The requirements to restore the approximate original contour of the land.
- 3) The permittee shall modify or reconstruct an existing structure which meets a performance standard of the interim program regulations which is incompatible with the permanent program regulations to meet the design standard of the permanent program regulations, pursuant to 62 Ill. Adm. Code 1773.15(c)(6), 1780.12 and 1784.12.
- 4) The permittee shall modify or reconstruct an existing structure which does not meet the performance standards of the interim program regulations and which the applicant proposes to use in connection with a coal exploration or surface coal mining and reclamation operation to meet the design standards of the permanent program regulations prior to issuance of the permit.
- e)
 - 1) Any person conducting coal exploration on or after February 1, 1983, shall either file a notice of intention to explore or obtain approval of the Department, as required by 62 Ill. Adm. Code 1772.
 - 2) Coal exploration performance standards in 62 Ill. Adm. Code 1815 apply after August 3, 1982.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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- | 1) <u>Heading of the Part:</u> | General Definitions |
|---|------------------------|
| 2) <u>Code Citation:</u> | 62 Ill. Adm. Code 1701 |
| 3) <u>Section Number:</u> | <u>Proposed Action</u> |
| 1701.Appendix A | Amendment |
| 4) <u>Statutory Authority:</u> | |
| Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.). | |
| 5) <u>A Complete Description of the Subjects and Issues Involved:</u> | |

On October 25, 1988, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) conditionally approved the Illinois Department of Mines and Minerals' (Department) amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

On January 4, 1989, OSMRE, by final rule, instructed the Department to submit a proposed amendment to the definition of "valid existing rights" found at 62 Ill. Adm. Code 1701. Appendix A. See 54 Fed. Reg. 118 (January 4, 1989).

The following discussion describes the Department's proposed amendments to Part 1701 in response to these OSMRE directives:

Section 1701.Appendix A sets forth the Department's general definitions for surface coal mining and reclamation operations and coal exploration operations. The proposed amendment of "previously mined area" in Section 1701.Appendix A serves to make the Department's requirements consistent with the definition in the OSMRE counterpart regulation, 30 CFR 701.5. The proposed amendment of "valid existing rights" in Section 1701.Appendix A serves to make the Department's requirements consistent with the definitions in the OSMRE counterpart regulation, 30 CFR 761.5.

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6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300,

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Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING
 CHAPTER I: DEPARTMENT OF MINES AND MINERALS
 PART 1701
 GENERAL DEFINITIONS

Section

1701.5 Definitions
 APPENDIX A Definitions

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 4932; amended at 11 Ill. Reg. 8075, effective July 1, 1987; amended at Ill. Reg. _____, effective _____, 1990.

NOTE: Boldface type denotes statutory language.

Section 1701. Appendix A Definitions

As used in 62 Ill. Adm. Code 1700 - 1850, the following terms have the specified meanings, except when another meaning is given:

Acid drainage means water with a pH of less than 6.0 and in which total acidity exceeds total alkalinity, discharged from an active, inactive or abandoned surface coal mine and reclamation operation or from an area affected by surface coal mining and reclamation operations.

Acid-forming materials means earth materials that contain sulfide minerals or other materials which, if exposed to air, water or weather processes, form acids that may create acid drainage.

Act or Federal Act means the Surface Mining Control and Reclamation Act of 1977, P.L. 95-87. (30 U.S.C. 1201 et seq.).

Adjacent area means the area located outside the permit area, or shadow area, where a resource or resources, determined according to the context in which adjacent area is used, are or reasonably could be expected to be adversely impacted by proposed mining operations.

Administratively complete application means an application for permit approval or approval for coal exploration where required, which the Department determines to contain information addressing each application requirement of the regulatory program and to contain all information necessary to initiate processing and public review.

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Affected area means, with respect to surface mining activities, any land or water upon or in which those activities are conducted or located. With respect to underground mining activities, affected area means: any water or surface land upon which those activities are conducted or located.

Agricultural use means the use of any tract of land for the production of animal or vegetable life. The uses include, but are not limited to, the pasturing, grazing, and watering of livestock, and the cropping, cultivation, and harvesting of plants.

Applicant means any person seeking a permit; permit revision; renewal; or transfer, assignment or sale from the Department to conduct surface coal mining and reclamation operations or, where required, seeking approval for coal exploration.

Application means the documents and other information filed with the Department under these regulations for the issuance of permits; revisions; renewals; and transfer, assignment, or sale of permit rights for surface coal mining and reclamation operations or, where required, for coal exploration.

Approximate original contour means that surface configuration achieved by backfilling and grading of the mined areas so that the reclaimed area, including any terracing or access roads, closely resembles the general surface configuration of the land prior to mining and blends into and complements the drainage pattern of the surrounding terrain, with all highwalls, and spoil piles and coal refuse piles eliminated. Permanent water impoundments may be permitted where the Department has determined that they comply with 62 Ill. Adm. Code 1816.49 and 1816.56, 1816.133 or 1817.49, 1817.56 and 1817.133. Section 1.03(a)(2) of the Surface Coal Mining Land Conservation and Reclamation Act. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(2)).

Aquifer means a zone, stratum, or group of strata that can store and transmit water in sufficient quantities for specific use.

Article means an article of the State Act.

Auger mining means a method of mining coal at a cliff or highwall by drilling holes into an exposed coal seam from the cliff or highwall and transporting the coal along an auger bit to the surface.

Best technology currently available means equipment, devices, systems, methods, or techniques which will

prevent, to the extent possible, additional contributions of

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suspended solids to stream flow or runoff outside the permit area, but in no event result in contributions of suspended solids in excess of requirements set by 62 Ill. Adm. Code 1816.42; and

minimize, to the extent possible, disturbances and adverse impacts on fish, wildlife and related environmental values, and achieve enhancement of those resources where practicable. The term includes equipment, devices, systems, methods, or techniques which are currently available anywhere as determined by the Department, even if they are not in routine use. The term includes, but is not limited to, construction practices, siting requirements, vegetative selection and planting requirements, animal stocking requirements, scheduling of activities and design of sedimentation ponds in accordance with 62 Ill. Adm. Code 1816 and 1817.

Boxcut means the first open cut resulting in the placing of overburden on unmined land adjacent to the initial pit.

Cemetery means any area of land where human bodies are interred.

Coal means combustible carbonaceous rock, classified as anthracite, bituminous, subbituminous, or lignite by ASTM Standard D 388-84 found at pp. 247-252 in Vol 5.05 of the Annual Book of ASTM Standards published by the American Society for Testing and Materials, 1916 Race St., Philadelphia, PA 19103.

Coal exploration means the field gathering of:

surface or subsurface geologic, physical, or chemical data by mapping, trenching, drilling, geophysical, or other techniques necessary to determine the quality and quantity of overburden and coal of an area; or

the gathering of environmental data to establish the conditions of an area before beginning surface coal mining and reclamation operations under the requirements of 62 Ill. Adm. Code 1700 - 1850.

Coal mining operation means the business of developing, producing, preparing or loading bituminous coal, subbituminous coal, anthracite, or lignite, or of reclaiming the area upon which such activities occur.

Coal mine waste means coal processing waste and underground development waste.

Coal processing or coal preparation means chemical or physical processing and the cleaning, concentrating, or other processing or preparation of coal.

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Coal preparation plant means a facility where coal is subjected to chemical or physical processing or the cleaning, concentrating, or other processing or preparation. It includes facilities associated with coal preparation activities including, but not limited to the following: loading facilities; storage and stockpile facilities; sheds, shops and other buildings; water treatment and water storage facilities; settling basins and impoundments; coal processing and other waste disposal areas.

Coal processing waste means earth materials which are separated and wasted from the product coal during cleaning, concentrating, or other processing or preparation of coal.

Combustible material means organic material that is capable of burning, either by fire or through oxidation, accompanied by the evolution of heat and a significant temperature rise.

Community or institutional building means any structure, other than a public building or an occupied dwelling, which is used primarily for functions of community groups; used for an educational, cultural, historic, religious, scientific, correctional, mental-health or physical-health care facility; or is used for public services, including, but not limited to, water supply, power generation or sewage treatment.

Compaction means increasing the density of a material by reducing the voids between the particles and is generally accomplished by controlled placement and mechanical effort such as from repeated application of wheel, track, or roller loads from heavy equipment.

Complete and accurate application means an application for permit approval or approval for coal exploration where required, which the Department determines contains all information which the State Act and 62 Ill. Adm. Code 1700 - 1850 require.

Consolidated material means materials of sufficient hardness or stability to resist weathering so as to inhibit erosion or sloughing.

Cropland means land used for the production of adapted crops for harvest, alone or in a rotation with grasses and legumes, and includes row crops, small grain crops, hay crops, nursery crops, orchard crops, and other similar specialty crops.

Cumulative impact area means the area, including the permit area, within which impacts resulting from the proposed operation may interact with the impacts of all anticipated mining on surface and groundwater systems. Anticipated mining shall include, at a minimum, the entire projected lives through bond release of:

the proposed operation;

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all existing operations;

any operation for which a permit application has been submitted to the Department.

Darkened surface soil means mineral horizons formed at or adjacent to the surface of the soil which are higher in organic matter content, and visibly darker in color than the immediately underlying horizons.

Department means the Illinois Department of Mines and Minerals, or its successor.

Direct financial interest means ownership or part ownership by an employee of lands, stocks, bonds, debentures, warrants, partnership shares, or other holdings and also means any other arrangement where the employee may benefit from his or her holding in or salary from coal mining operations. Direct financial interests include employment, pensions, creditor, real property, and other financial relationships.

Director means the Director of the Department.

Disturbed area means an area where vegetation, topsoil, or overburden is removed or upon which topsoil, spoil, coal processing waste, underground development waste, or noncoal waste is placed by surface coal mining operations. Those areas are classified as disturbed until reclamation is complete and the performance bond or other assurance of performance required by 62 Ill. Adm. Code 1800 is released.

Diversion means a channel, embankment, or other man-made structure constructed to divert water from one area to another.

Downslope means the land surface between the projected outcrop of the lowest coalbed being mined along each highwall and a valley floor.

Embankment means an artificial deposit of material that is raised above the natural surface of the land and used to contain, divert, or store water, support roads or railways, or for other similar purposes.

Employee means

any person employed by the Department who performs any function or duty under the Act; and

advisory board or commission members and consultants who perform any function or duty under the Act, if they perform decision-making functions for the Department under the authority of State law or regulations. However, members of advisory boards or commissions

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established in accordance with State law or regulations to represent multiple interests are not considered to be employees. State officials may through State law or regulations expand this definition to meet their program needs.

Ephemeral stream means a stream which meets both requirements:

It flows only in direct response to precipitation in the immediate watershed or in response to the melting of a cover of snow and ice; and

It has a channel bottom that is always above the local water table.

Excess spoil means spoil material disposed of in a location other than the mined-out area; provided, the spoil material used to achieve the approximate original contour or to blend the mined-out area with the surrounding terrain in accordance with 62 Ill. Adm. Code 1816.102(d) and 1817.102(d) in nonsteep slope areas shall not be considered excess spoil.

Existing structure means a structure used in connection with surface coal mining and reclamation operations for which construction began prior to June 1, 1982.

Federal Director means the Director of the Federal Office of Surface Mining Reclamation and Enforcement.

Final cut means the last pit created in a surface-mined area.

Fragile lands means geographic areas containing important natural, ecologic, scientific or esthetic resources that could be damaged or destroyed by surface coal mining operations. Examples of fragile lands include valuable habitats for fish or wildlife, critical habitats for endangered or threatened species of animals or plants, uncommon geologic formations, National Natural Landmark sites, areas where mining may cause flooding, environmental corridors containing a concentration of ecologic and esthetic features, areas of recreational value due to high environmental quality, and buffer zones adjacent to the boundaries of areas where surface coal mining operations are prohibited under Section 7.01 of the State Act (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7907.01) and 62 Ill. Adm. Code 1761.11, if those areas have characteristics requiring additional areal protection or if the buffer zone itself contains fragile resources.

Fugitive dust means that particulate matter not emitted from a duct or stack which becomes airborne due to the forces of wind or surface coal mining and reclamation operations or both. During surface coal mining and reclamation, it may include emissions from haul roads; wind erosion of exposed surfaces, storage piles, and spoil piles; reclamation

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operations; and other activities in which material is either removed, stored, transported, or redistributed.

Gravity discharge means, with respect to underground mining activities, mine drainage that flows freely in an open channel downgradient. Mine drainage that occurs as a result of flooding a mine to the level of the discharge is not gravity discharge.

Ground cover means the area of ground covered by the combined aboveground parts of vegetation and by the litter that is produced naturally on site.

Ground water means subsurface water that fills available openings in rock or soil materials to the extent that they are considered water saturated.

Head-of-hollow fill means a fill structure consisting of any material, other than organic material, placed in the uppermost reaches of a hollow where side slopes of the existing hollow measured at the steepest point are greater than twenty (20) degrees or the average slope of the profile of the hollow from the toe of the fill to the top of the fill is greater than ten (10) degrees. In head-of-hollow fills, the top surface of the fill, when completed, is at approximately the same elevation as the adjacent ridge line, and no significant area of natural drainage occurs above the fill draining into the fill area.

High capability land means land not meeting the definition of prime farmland or land exempted in accordance with 62 Ill. Adm. Code 1785.17 where the Department determines the following three facts are present together:

The land is capable of being reclaimed for row-crop agricultural purposes;

The land is suitable for row-crop agricultural purposes based on United States Soil Conservation Service soil survey classifications of the affected land prior to mining (all soil types in capability Classes I, II, III and those soil types in capability Class IV with slopes of five (5) percent or less), as set forth in Land-Capability Classification, Agriculture Handbook No. 210, published by the U.S. Department of Agriculture, Soil Conservation Service in 1973; and

the optimum future use of the land is for row-crop agricultural purposes.

Highwall means the face of exposed overburden and coal in an open cut of a surface coal mining activity or for entry to underground mining activities.

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Highwall remnant means that portion of highwall that remains after backfilling and grading of a remining permit area.

Higher or better uses means post-mining land uses that have a higher economic value or nonmonetary benefit to the landowner or the community than the premining land uses.

Historically used for cropland means:

Lands that have been used for cropland for any five (5) years or more out of the ten (10) years immediately preceding the acquisition, including purchase, lease, or option, of the lands for the purpose of conducting or allowing through resale, lease or option, the conduct of surface coal mining and reclamation operations;

Lands that the Department determines, on the basis of additional cropland history of the surrounding lands and the lands under consideration that the permit area is clearly cropland but falls outside the specific five (5)-year-in-ten (10) criterion, in which case the regulations for prime farmland shall be applied to include more years of cropland history only to increase the prime farmland acreage to be preserved; or

Lands that would likely have been used as cropland for any five (5) out of the last ten (10) years, immediately preceding such acquisition but for the same fact of ownership or control of the land unrelated to the productivity of the land.

Historic lands means important historic, cultural, and scientific areas that could be damaged or be destroyed by surface coal mining operations. Examples of historic lands include archaeological and paleontological sites, National Historic Landmark sites, sites listed on or eligible for listing on a State or National Register of Historic Places, sites having religious or cultural significance to native Americans or religious groups or sites for which historic designation is pending.

Hydrologic balance means the relationship between the quality and quantity of water inflow to, water outflow from, and water storage in a hydrologic unit such as a drainage basin, aquifer, soil zone, lake, or reservoir. It encompasses the dynamic relationships among precipitation, runoff, evaporation, and changes in ground and surface water storage.

Hydrologic regime means the entire state of water movement in a given area. It is a function of the climate and includes the phenomena by which water first occurs as atmospheric water vapor, passes into a liquid or solid form, falls as precipitation, moves along or into the ground

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surface, and returns to the atmosphere as vapor by means of evaporation and transpiration.

Imminent danger to the health and safety of the public means the existence of any condition or practice, or any violation of a permit or other requirements of the State Act in a surface coal mining and reclamation operation, which could reasonably be expected to cause substantial physical harm to persons outside the permit area before the condition, practice, or violation can be abated. A reasonable expectation of death or serious injury before abatement exists if a rational person, subjected to the same condition or practice giving rise to the peril, would avoid exposure to the danger during the time necessary for abatement. Section 1.03(a)(7) of the Surface Coal Mining Land Conservation and Reclamation Act. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(7)).

Impounding structure means a dam, embankment, or other structure used to impound water, slurry, or other liquid or semi-liquid material.

Impoundment means a closed basin, naturally formed or artificially built, which is dammed or excavated for the retention of water, sediment, or waste.

Indirect financial interest means the same financial relationships as for direct ownership, but where the employee reaps the benefits of such interests, including interests held by his or her spouse, minor child and other relatives, including in-laws, residing in the employee's home. The employee will not be deemed to have an indirect financial interest if there is no relationship between the employee's duties and the coal mining operation in which the spouse, minor children, or other resident relatives hold a financial interest.

In situ processes means activities conducted in connection with in-place distillation, retorting, leaching, or other chemical or physical processing of coal. The term includes, but is not limited to, in situ gasification, in situ leaching, slurry mining, solution mining, borehole mining, and fluid recovery mining.

Institute means the Department of Energy and Natural Resources or such other agency as designated by the Director in accordance with Section 7.03 of the State Act.

Interagency Committee means the Interagency Committee on Surface Mining Control and Reclamation Section 1.05 of the State Act created.

Intermittent stream means:

A stream or reach of a stream that drains a watershed of at least

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one (1) square mile; or

A stream or reach of a stream that is below the local water table for at least some part of the year, and obtains its flow from both surface runoff and ground water discharge.

Irreparable damage to the environment means any damage to the environment in violation of the State Act or these regulations that cannot be corrected by actions of the applicant.

Land capability means the soils' premining capabilities based on the United States Department of Agriculture, Soil Conservation Service classification system as found in Agriculture Handbook No. 210, Land-Capability Classification, (published in 1973) as interpreted from the soils map for sustained production of commonly cultivated crops or for the production of permanent vegetation.

Land use means specific uses or management-related activities, rather than the vegetation or cover of the land. Land uses may be identified in combination when joint or seasonal uses occur and may include land used for support facilities that are an integral part of the use. Changes of land use or uses from one of the following categories to another shall be considered as a change to an alternative land use which is subject to approval by the Department in accordance with 62 Ill. Adm. Code 1780.23.

Cropland means land used for the production of adapted crops for harvest, alone or in a rotation with grasses and legumes, and includes row crops, small grain crops, hay crops, nursery crops, orchard crops, and other similar specialty crops.

Pastureland means land used primarily for the long-term production of adapted, domesticated forage plants to be grazed by the livestock or occasionally cut and cured for livestock feed.

Grazingland means land used for grasslands and forest lands where the indigenous vegetation is actively managed for grazing, browsing, or occasional hay production.

Forestry means land used or managed for the long-term production of wood, wood fiber, or wood-derived products.

Residential means land used for single- and multiple-family housing, mobile home parks, and other residential lodgings.

Industrial/Commercial means land used for:

Extraction or transformation of materials for fabrication of products, wholesaling of products, or for long-term storage of

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products. This includes all heavy and light manufacturing facilities.

Retail or trade of goods or services, including hotels, motels, stores, restaurants, and other commercial establishments.

Recreation is land used for public or private leisure-time use, including developed recreation facilities such as parks, camps, and amusement areas, as well as areas for less intensive uses such as hiking, canoeing, and other undeveloped recreational uses.

Fish and wildlife habitat is land dedicated wholly or partially to the production, protection, or management of fish or wildlife.

Developed water resources includes land used for storing water for beneficial uses such as stockponds, irrigation, fire protection, flood control, and water supply.

Undeveloped land or no current use or land management includes land that is undeveloped or, if previously developed, land that has been allowed to return naturally to an undeveloped state or has been allowed to return to forest through natural succession.

Mining operations or surface coal mining operations means both surface mining operations and underground mining operations. Section 1.03(a)(11) of the Surface Coal Mining Land Conservation and Reclamation Act. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(11)).

Moist bulk density means the weight of soil (oven dry) per unit volume. Volume is measured when the soil is at field moisture capacity (1/3 bar moisture tension). Weight is determined after drying the soil at one hundred and five degrees (105° C).

MSHA means the Mine Safety and Health Administration of the United States Department of Labor.

Mulch means vegetation residues or other suitable materials that aid in soil stabilization and soil moisture conservation, thus providing micro-climatic conditions suitable for germination and growth.

Natural hazard lands means geographic areas in which natural conditions exist which pose or, as a result of surface coal mining operations, may pose a threat to the health, safety or welfare of people, property or the environment, including areas subject to landslides, cave-ins, large or encroaching sand dunes, severe wind or soil erosion, frequent flooding, avalanches, and areas of unstable geology.

Noxious plants means any plant species listed as a "noxious weed" under

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regulations authorized by the Illinois Noxious Weed Law (Ill. Rev. Stat. 1985, ch. 5, pars. 591 et seq.); any plant species whose seed is listed as a "prohibited (primary) noxious weed" or "restricted" (secondary) noxious weed" or "weed seeds" under regulations authorized by the Illinois Seed Law (Ill. Rev. Stat. 1985, ch. 5, pars. 401 et seq.); or any plant which the Department of Agriculture has declared a pest under the Illinois Pesticide Act of 1979. (Ill. Rev. Stat. 1985, ch. 5, pars. 801. et seq.)

Occupied dwelling means any building that is currently being used on a regular or temporary basis for human habitation.

Office means the Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior.

Operator means any person engaged in coal mining who removes or intends to remove more than two hundred and fifty (250) tons of coal from the earth or from coal refuse piles by mining within twelve (12) consecutive calendar months in any one location.

Outslope means the face of the spoil or embankment sloping downward from the highest elevation to the toe.

Overburden means material of any nature, consolidated or unconsolidated, that overlies a coal deposit, excluding topsoil.

Perennial stream means a stream that flows continuously during all of the calendar year or part of a stream that flows continuously during all of the calendar year. The stream or part of a stream flows continuously as a result of groundwater discharge or surface runoff. The term does not include intermittent stream or ephemeral stream.

Performance bond means a surety bond, collateral bond or a combination thereof, by which a permittee assures faithful performance of all the requirements of the Federal Act, the State Act, 62 Ill. Adm. Code 1700 - 1850, and the requirements of the permit and reclamation plan.

Performing any function or duty under this Act means those decisions or actions, which if an employee performed or did not perform would affect the programs under the State Act.

Permanent diversion means a diversion remaining after surface coal mining and reclamation operations are completed which has been approved for retention by the Department and other appropriate State and Federal agencies.

Permanent impoundment means an impoundment which the Department approved and, if required, is approved by other State and Federal agencies for

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retention as part of the post-mining land use.

Permit means a permit to conduct surface coal mining and reclamation operations which the Department issues pursuant to the State program.

Permit area means the area of land and water within the boundaries of the permit which are designated on the permit application maps, as approved by the Department. This area shall include all areas which are or will be affected by the surface coal mining and reclamation operations during the term of the permit indicated on the approved map which the operator submitted with the operator's application and which is required to be bonded under 62 Ill. Adm. Code 1800 and where the operator proposes to conduct surface coal mining and reclamation operations under the permit, including all disturbed areas; provided, that areas adequately bonded under another valid permit may be excluded from a permit area. The permit area excludes the area defined in these regulations as the shadow area.

Permit term means the period during which the permittee may engage in mining and reclamation operations under the permit. Section 1.03(a)(18) of the Surface Coal Mining Land Conservation and Reclamation Act. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(18)).

Permittee means a person holding or required by the State Act or these regulations to hold a permit to conduct surface coal mining and reclamation operations issued by a Department pursuant to a State program.

Person means an individual, Indian tribe when conducting surface coal mining and reclamation operations on non-Indian lands, general partnership, limited partnership, business trust association, society, joint venture, joint stock company, firm, company, corporation, cooperative or other business organization or any agency, unit, or instrumentality of Federal, State or local government including any publicly-owned utility or publicly-owned corporation of Federal, State or local government.

Person having an interest which is or may be adversely affected or Person with a valid legal interest shall include any person:

Who uses any resources of economic, recreational, esthetic, or environmental value that may be adversely affected by coal exploration or surface coal mining and reclamation operations or any related action of the Secretary or the Department; or

Whose property is or may be adversely affected by coal exploration or surface coal mining and reclamation operations or any related action of the Secretary or the Department.

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Placeland means undisturbed land before any mining activity.

Precipitation event means a quantity of water resulting from drizzle, rain, snow, sleet, or hail in a limited period of time. It may be expressed in terms of recurrence interval. As used in these regulations, precipitation event also includes that quantity of water emanating from snow cover as snow-melt in a limited period of time.

Previously mined area means land disturbed or affected by earlier coal mining operations that was not reclaimed in accordance with the requirements of 62 Ill. Adm. Code 1700 - 1950 the Act.

Prime farmland means those lands which are defined by the Secretary of Agriculture in 7 CFR 657 (43 Fed. Reg. 4031 (1978)) and which have historically been used for cropland as that phrase is defined above.

Principal shareholder means any person who is the record or beneficial owner of ten (10) percent or more of any class of voting stock.

Prohibited financial interest means any direct or indirect financial interest in any coal mining operation.

Property to be mined means both the surface and mineral estates within the permit area and the mineral estate within the shadow area.

Public building means any structure that is owned or leased and principally used by a public government agency for public business or meetings.

Public office means a facility under the control of a governmental entity which is open to public access on a regular basis during reasonable business hours.

Public park means an area or portion of an area dedicated or designated by any Federal, State, or local agency for public recreational use, whether or not such use is limited to certain times or days, including any land leased, reserved or held open to the public because of that use.

Publicly-owned park means a public park that is owned by a Federal, State or local governmental entity.

Public road means a road

which has been designated as a public road pursuant to the law of the jurisdiction in which it is located;

which is maintained with public funds in a manner similar to other

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public roads of the same classification within the jurisdiction; for which there is substantial (more than incidental) public use; and which meets road construction standards for other public roads of the same classification in the local jurisdiction.

Qualified registered professional engineer means a civil engineer, mining engineer, environmental engineer or general engineer meeting the requirements of Section 9 of The Illinois Professional Engineering Act. (Ill. Rev. Stat. 1985, ch. 111, par. 5112).

Rangeland means land on which the natural potential (climax) plant cover is principally native grasses, forbs, and shrubs valuable for forage. This land includes natural grasslands and savannas, such as prairies, and juniper savannas, such as brushlands. Except for brush control, management is primarily achieved by regulating the intensity of grazing and season of use.

Reasonably available spoil means spoil and suitable coal mine waste material generated by the reclaiming operation or other spoil or suitable coal mine waste material located in the permit area that is accessible and available for use and that when rehandled will not cause a hazard to public safety or significant damage to the environment.

Recharge capacity means the ability of the soils and underlying materials to allow precipitation and runoff to infiltrate and reach the zone of saturation.

Reclamation means those actions which these regulations require to restore mined land to a post-mining land use which the Department has approved. These actions do not include subsidence control measures conducted in the shadow area to restore damaged land to pre-mining capability.

Recurrence interval means the interval of time in which a precipitation event is expected to occur once, on the average. For example, the ten (10)-year, twenty-four (24)-hour precipitation event would be that twenty-four (24)-hour precipitation event expected to occur on the average once in ten (10) years.

Reference area means a land unit maintained under appropriate management for the purpose of measuring vegetation ground cover, productivity and plant species diversity that are produced naturally or by Department-approved crop production methods. Reference areas must be representative of geology, soil, slope, and vegetation in the permit area.

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Refuse pile means a surface deposit of coal mine waste that does not impound water, slurry, or other liquid or semi-liquid material.

Regional director means Regional Director of the Federal Office of Surface Mining Reclamation and Enforcement or Regional Director of the Federal Office of Surface Mining Reclamation and Enforcement's representative.

Regulatory program means Illinois' permanent regulatory program which the Office of Surface Mining Reclamation and Enforcement approved and set forth in 30 CFR 913.1-913.16 (1986). 30 CFR 913.1-913.16 do not include any subsequent amendments or editions.

Remining means conducting surface coal mining and reclamation operations which affect previously mined areas.

Renewable resource lands means aquifers and areas for the recharge of aquifers and other underground waters, areas for agricultural or silvicultural production of food and fiber, and grazing lands.

Responsible land management means that combination of preparation, maintenance, fertilization and tilling of land capable of producing row crops which would be practiced by a person in the business of producing row crops on unmined land in the same region on the same, or similar, soil type as the mined land being managed, which practices can reasonably be expected to continue after mining and reclamation are completed, as determined by the Department.

Safety factor means the ratio of the available shear strength to the developed shear stress, or the ratio of the sum of the resisting forces to the sum of the loading or driving forces.

Secretary means the Secretary of the Interior or the Secretary's representative.

Sedimentation pond means an impoundment used to remove solids from water in order to meet water quality standards or effluent limitations before the water leaves the permit area.

Shadow area means any area beyond the limits of the permit area in which underground mine workings are located. This area includes all resources above and below the coal that are protected by the State Act that may be adversely impacted by underground mining operations including impacts of subsidence.

Significant forest cover means an area where the plant community consists predominantly of trees and other woody vegetation.

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Significant, imminent environmental harm to land, air or water resources means:

An environmental harm is an adverse impact on land, air, or water resources which resources include, but are not limited to, plant and animal life;

An environmental harm is imminent if a condition, practice, or violation exists which:

Is causing such harm; or

May reasonably be expected to cause such harm at any time before the end of the reasonable abatement time that would be set under Section 8.06(c) of the State Act. (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7908.06(c)).

An environmental harm is significant if that harm is appreciable and not immediately reparable.

Siltation structure means a device, or devices, used to remove, collect or otherwise control runoff so that resulting outflow will meet applicable effluent standards.

Slope means average inclination of a surface measured from the horizontal, generally expressed as the ratio of a unit of vertical distance to a given number of units of horizontal distance (e.g., 1v: 5h). It may also be expressed as a percent or in degrees.

Soil horizons means contrasting layers of soil parallel or nearly parallel to the land surface. Soil horizons are differentiated on the basis of field characteristics and laboratory data. The four (4) master soil horizons are:

A horizon. The uppermost mineral layer, often called the surface soil or topsoil. It is the part of the soil in which organic matter is most abundant, and leaching of soluble or suspended particles is typically the greatest.

E horizon. The layer commonly near the surface below an A horizon and above a B horizon. An E horizon is most commonly differentiated from an overlying A horizon by lighter color and generally has measurably less organic matter than the A horizon. An E horizon is most commonly differentiated from the underlying B horizon in the same sequence by color of higher value or lower chroma, by coarser texture, or by a combination of these properties.

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B horizon. The layer that typically is immediately beneath the A and E horizons and often called the subsoil. This middle layer commonly contains more clay, iron, or aluminum than the A, E, or C horizons.

C horizon. The deepest layer of the soil profile. It consists of loose material or weathered rock that is relatively unaffected by biologic activity.

Soil survey means a field and other investigation, resulting in a map showing the geographic distribution of different kinds of soils and an accompanying report that describes, classifies, and interprets such soils for use. Soil surveys must meet the standards of the National Cooperative Soil Survey as incorporated by reference in 62 Ill. Adm. Code 1785.17(c)(1).

Spoil means overburden that has been removed during surface coal mining operations.

Stabilize means to control movement of soil, spoil piles, or areas of disturbed earth by modifying the geometry of the mass, or by otherwise modifying physical or chemical properties, such as by providing a protective surface coating.

State Act means the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, pars. 7901.01 et seq.)

State regulatory program means the Illinois program which the Secretary approved on June 1, 1982 pursuant to 30 CFR 732.1 through 732.15.

Steep slope means any slope of more than twenty (20) degrees or such lesser slope as the Department may designate after consideration of such regional characteristics as soil and climate.

Substantially disturb means, for purposes of coal exploration, to impact significantly upon land, air or water resources by blasting; by removal of vegetation, topsoil, or overburden; by construction of roads or other access routes; by placement of excavated earth or waste material on the natural land surface or by other such activities; or to remove more than 250 tons of coal.

Substantial legal and financial commitments in a surface coal mining operation means significant investments that have been made on the basis of a long-term coal contract in power plants, railroads, coal-handling, preparation, extraction or storage facilities, and other capital-intensive activities. An example would be an existing mine, not actually producing coal, but in a substantial stage of development prior to production. Costs of acquiring the coal in place or of the right to

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mine it without an existing mine alone, as described in the above example, are not sufficient to constitute substantial legal and financial commitments.

Successor in interest means any person who succeeds to rights granted under a permit, by transfer, assignment, or sale of those rights.

Surface mining activities means those surface coal mining and reclamation operations incident to the extraction of coal from the earth by removing the materials over the coal seam, before recovering the coal, by auger coal mining, or by recovery of coal from a deposit that is not in its original geologic location.

Surface coal mining and reclamation operations, or mining and reclamation operations, means surface coal mining operations and all activities necessary or incidental to the reclamation of such operations. This term includes the term surface coal mining operations.

Surface coal mining operations, or mining operations means:

Activities conducted on the surface of lands in connection with a surface coal mine or subject to the requirements of Section 516 of the Federal Act, surface operations and surface impacts incident to an underground coal mine, the products of which enter commerce, or the operations of which directly or indirectly affect interstate commerce. Such activities include excavation for the purpose of obtaining coal, including such common methods as contour, strip, auger, mountaintop removal, box cut, open pit, and area mining, the uses of explosives and blasting; in situ distillation or retorting; leaching or other chemical or physical processing; and the cleaning, concentrating, or other processing or preparation of coal. Such activities also include the loading of coal for interstate commerce at or near the mine-site, provided, these activities do not include the extraction of coal incidental to the extraction of other minerals, where coal does not exceed sixteen and two-thirds (16 2/3) per centum of the tonnage of minerals removed for purposes of commercial use or sale, or coal exploration subject to Section 512 of the Federal Act; and provided further, that excavation for the purpose of obtaining coal includes extraction of coal from coal refuse piles; and

The areas upon which the activities described in subsection (a) occur or where those activities disturb the natural land surface. These areas shall also include any adjacent land the use of which is incidental to any such activities, all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of those activities and for haulage and excavation, workings, impoundments, dams, ventilation shafts,

entryways, refuse banks, dumps, stockpiles, overburden piles, spoil banks, culm banks, tailings, holes or depressions, repair areas, storage areas, processing areas, shipping areas, and other areas upon which are sited structures, facilities, or other property or material on the surface, resulting from or incident to those activities.

Surface mining operations means activities conducted on the surface of lands in connection with a surface coal mine or surface operations. Such activities include excavation for the purpose of obtaining coal including such common methods as contour, strip, auger, mountaintop removal, box cut, open pit, and area mining, coal recovery from coal waste disposal areas, the use of explosives and blasting, and in situ distillation or retorting, leaching or other chemical or physical processing, and the cleaning, concentrating, or other processing or preparation, loading of coal at or near the mine site; and the areas on which such activities occur or where such activities disturb the natural land surface. Such areas include any adjacent land the use of which is incidental to any such activities, all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of such activities and for haulage, and excavations, workings, impoundments, dams, refuse banks, dumps, stockpiles, overburden piles, spoil banks, culm banks, tailings, holes or depressions, repair areas, storage areas, processing areas, shipping areas and other areas upon which are sited structures, facilities, or other property or materials on the surface, resulting from or incident to such activities. Section 1.03(a)(24) of the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(24)).

Suspended solids or nonfilterable residue, expressed as milligrams per liter, means any materials carried or held in suspension in water which are retained by a standard glass fiber filter in the procedure outlined by the Environmental Protection Agency's regulations for waste water and analyses (40 CFR 136).

Temporary diversion means a diversion of a stream or overland flow which is used during coal exploration or surface coal mining and reclamation operations and which the Department has not approved to remain after reclamation.

Temporary impoundment means an impoundment which is used during coal exploration or surface coal mining and reclamation operations and which the Department has not approved to remain after reclamation.

Ton means two thousand (2000) pounds avoirdupois (.90718 metric ton).

Topsoil means the A and E soil horizon layers of the four (4) master soil horizons.

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Toxic-forming materials means earth materials or wastes which, if acted upon by air, water, weathering, or microbiological processes, are likely to produce chemical or physical conditions in soils or water that are detrimental to living organisms or uses of water.

Toxic mine drainage means water that is discharged from active or abandoned mines or other areas affected by coal exploration or surface coal mining and reclamation operations, which contains a substance that through chemical action or physical effects is likely to kill or injure, or impair living organisms commonly present in the area that might be exposed to it.

Transfer, assignment or sale of permit rights means a change in ownership or other effective control over the right to conduct surface coal mining operations under a permit which the Department issued.

Underground development waste means waste rock mixtures resulting from development of areas for underground mining activities.

Underground mining activities means a combination of:

Surface operations incident to underground extraction of coal or in situ processing, such as construction, use, maintenance, and reclamation of roads, above-ground repair areas, storage areas, processing areas, shipping areas, areas upon which are sited support facilities including hoist and ventilating ducts, areas utilized for the disposal and storage of waste, and areas on which materials incident to underground mining operations are placed; and

Underground operations such as underground construction, operation, and reclamation of shafts, adits, underground support facilities, in situ processing, and underground mining, hauling, storage, and blasting.

Underground mining operations means the underground excavation of coal; and

surface operations incident to the underground extraction of coal, such as construction, use, maintenance, and reclamation of roads, above-ground repair areas, storage areas, processing areas, shipping areas, areas on which are sited support facilities including hoist and ventilation ducts, areas used for the storage and disposal of waste, and areas on which materials incident to underground mining operations are placed; and

underground operations incident to underground excavation of coal, such as underground construction, operation, and reclamation of

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shafts, adits, underground support facilities, in situ processing, and underground mining, hauling, storage, or blasting. Section 1.03(a)(26) of the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(26)).

Unwarranted failure to comply means the failure of a permittee to prevent the occurrence of any violation of the operator's permit or any requirement of the State Act due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation of such permit of the State due to indifference, lack of diligence, or lack of reasonable care. Section 1.03(a)(27) of the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7901.03(a)(27)).

Valid existing rights means:

Except for haul roads, that a person possesses valid existing rights for an area protected under Section 7.01 of the State Act (Ill. Rev. Stat. 1985, ch. 96 1/2, par. 7907.01) on August 3, 1977, if the application of any of the prohibitions contained in that Section to the property interest that existed on that date would effect a taking of the person's property which would entitle the person to just compensation under the Fifth and Fourteenth Amendments to the United States Constitution or Article I, Section 15 of the Illinois Constitution of 1970 or both.

For haul roads

A recorded right of way, recorded easement or a permit for a coal haul road recorded as of August 3, 1977; or at the time of the designation of an area, as to which a conflict is alleged, as part of a national system listed in Section 7.01 of the State Act, or at the time of the coming into existence, within the prohibited distance, of a structure, road, cemetery, or other activity listed in Section 7.01 of the State Act, or

Any other road in existence as of August 3, 1977, or at the time of the designation of an area as to which a conflict is alleged, as part of a national system listed in Section 7.01 of the State Act, or at the time of coming into existence, within the prohibited distance of a structure, road, cemetery or other activity listed in Section 7.01 of the State Act.

A person possesses valid existing rights if the person proposing to conduct surface coal mining operations can demonstrate that the coal is needed for and immediately adjacent to an ongoing surface coal mining operation which existed on August 3, 1977. A determination

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that coal is "needed for" will be based upon a finding that the extension of mining is essential to make the surface coal mining operations as a whole economically viable.

Where an area comes under the protection of Section 7.01 of the State Act after August 3, 1977, valid existing right shall be found if:

On the date the protection comes into existence, a validly authorized surface coal mine operation exists on that area; or

The prohibition caused by Section 7.01 of the State Act, if applied to the property interest that exists on the date the protection comes into existence, would effect a taking of the person's property which would entitle the person to just compensation under the Fifth and Fourteenth Amendments to the United States Constitution or Article I, Section 15 of Illinois Constitution of 1970 or both.

Interpretation of the terms of the document relied upon to establish valid existing rights shall be based either upon Illinois case law concerning interpretation of documents conveying mineral rights or, where Illinois case law is lacking, upon the usage and custom at the time and place where it came into existence and upon a showing by the applicant that the parties to the document actually contemplated a right to conduct the same underground or surface mining activities for which the applicant claims a valid existing right.

Valley fill means a fill structure consisting of any material, other than organic material, that is placed in a valley where side slopes of the existing valley, measured at the steepest point, are greater than twenty (20) degrees, or where the average slope of the profile of the valley from the toe of the fill to the top of the fill is greater than ten (10) degrees.

Violation notice means any notification, by letter, memorandum, legal or administrative pleading, or other written communication, from a governmental entity, telling of a violation of law.

Water table means the upper surface of a zone of saturation, where the body of ground water is not confined by an overlying impermeable zone.

Willful violation means a deliberate act or omission which violates the State Act, these regulations, or any permit condition which the State Act requires.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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NOTICE OF PROPOSED RULES

1) Heading of the Part: Individual Civil Penalties

2) Code Citation: 62 Ill. Adm. Code 1846

<u>Section Number:</u>	<u>Proposed Action</u>
1846.1	New Section
1846.5	New Section
1846.12	New Section
1846.14	New Section
1846.17	New Section
1846.18	New Section

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

On December 16, 1988, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17. The following discussion describes the Department's new Part 1846 proposed in response to this OSMRE directive:

Proposed new Section 1846.1 outlines the scope of proposed Part 1846, individual civil penalties. Section 1846.1 serves to make the Department's requirements consistent with OSMRE's counterpart regulation, 30 CFR 846.1.

Proposed new Section 1846.5 sets forth the definitions used in proposed Part 1846. Section 1846.5 serves to make the Department's requirements consistent with OSMRE's counterpart regulation, 30 CFR 846.5.

Proposed new Section 1846.12 outlines when the Department may assess an individual civil penalty. Section 1846.12 serves to make the Department's requirements consistent with OSMRE's counterpart regulation, 30 CFR 846.12.

Proposed new Section 1846.14 sets forth the Department's method for computing individual civil penalties. Section 1846.14 serves to make the Department's requirements consistent with OSMRE's counterpart

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regulation, 30 CFR 846.14.

Proposed new Section 1846.17 outlines the Department's procedures for assessing individual civil penalties. Section 1846.17 serves to make the Department's requirements consistent with OSMRE's counterpart regulation, 30 CFR 846.17.

Proposed new Section 1846.18 outlines the payment of individual civil penalties. Section 1846.18 serves to make the Department's requirements consistent with OSMRE's counterpart regulation, 30 CFR 846.18.

- 6) Will this proposed rule replace an emergency rule currently in effect?

No.

- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

If "Yes," please specify the date: _____

- 8) Does this proposed amendment contain incorporations by reference?

No.

- 9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers	Proposed Action	Illinois Register Citation
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- 10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2

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x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

- 12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Rules begins on the next page:

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NOTICE OF PROPOSED RULES

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1846
INDIVIDUAL CIVIL PENALTIES

Section 1846.1
1846.5
1846.12
1846.14
1846.17
1846.18

Scope.

Definitions.

When an individual civil penalty may be assessed.

Amount of individual civil penalty.

Procedure for assessment of individual civil penalty.

Payment of penalty.

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at Ill. Reg. _____, effective _____, 1990.

Section 1846.1 Scope.

This Part covers the Illinois Department of Mines and Minerals' (Department) assessment of individual civil penalties under Section 8.04(f) of the Surface Coal Mining Land Conservation and Reclamation Act (State Act). Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7908.04(f).

Section 1846.5 Definitions.

For purposes of this Part:

Knowingly means that an individual knew or had reason to know in authorizing, ordering or carrying out an act or omission on the part of a corporate permittee that such act or omission constituted a violation, failure or refusal.

Violation, failure or refusal means --

- 1) A violation of a condition of a permit issued pursuant to Section 2.01 of the State Act (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7902.01); or
- 2) A failure or refusal to comply with any order issued under Section 8.06 of the State Act (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7908.06), or any order incorporated in a final decision issued by the Department under the State Act, except an order incorporated in a decision issued under Section 8.06(b) of the State Act (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7908.06(b)).

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Willfully means that an individual acted --

- 1) Either intentionally, voluntarily or consciously, and
- 2) With intentional disregard or plain indifference to legal requirements in authorizing, ordering or carrying out a corporate permittee's action or omission that constituted a violation, failure or refusal.

Section 1846.12 When an individual civil penalty may be assessed.

- a) Except as provided in subsection (b), the Department may assess an individual civil penalty against any corporate director, officer or agent of a corporate permittee who knowingly and willfully authorized, ordered or carried out a violation, failure or refusal.
- b) The Department shall not assess an individual civil penalty in situations resulting from a permit violation by a corporate permittee until a cessation order has been issued by the Department to the corporate permittee for the violation, and the cessation order has remained unabated for 30 days.

Section 1846.14 Amount of individual civil penalty.

- a) In determining the amount of an individual civil penalty assessed under Section 1846.12, the Department shall consider the criteria specified in Section 8.04(a) of the State Act (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7908.04 (a)) including:

- 1) The individual's history of authorizing, ordering or carrying out previous violations, failures or refusals at the particular surface coal mining operation;
 - 2) The seriousness of the violation, failure or refusal (as indicated by the extent of damage and/or the cost of reclamation), including any irreparable harm to the environment and any hazard to the health or safety of the public; and
 - 3) The demonstrated good faith of the individual charged in attempting to achieve rapid compliance after notice of the violation, failure or refusal.
- b) The penalty shall not exceed \$5,000 for each violation. Each day of a continuing violation may be deemed a separate violation and the Department may assess a separate individual civil penalty for each day the violation, failure or refusal continues, from the date of service of the underlying notice of violation, cessation order or

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other order incorporated in a final decision issued by the Department, until abatement or compliance is achieved.

Section 1846.17 Procedure for assessment of individual civil penalty.

a) Notice. The Department shall serve on each individual to be assessed an individual civil penalty a notice of proposed individual civil penalty assessment, including a narrative explanation of the reasons for the penalty, the amount to be assessed, and a copy of any underlying notice of violation and cessation order.

b) Final order and opportunity for review. The notice of proposed individual civil penalty assessment shall become a final administrative decision of the Department 30 days after service upon the individual unless:

1) The individual files, within 30 days of service of the notice of proposed individual civil penalty assessment, a petition for review with the Illinois Department of Mines and Minerals, Land Reclamation Division, 300 West Jefferson Street, Suite 300, P.O. Box 10197, Springfield, Illinois 62791-0197, in accordance with 62 Ill. Adm. Code 1843.16; or

2) The Department and the individual or responsible corporate permittee agree within 30 days of service of the notice of proposed individual civil penalty assessment to a schedule or plan for the abatement or correction of the violation, failure or refusal.

c) Service. For purposes of Section 1846.17, service is sufficient if it would satisfy the requirements of 62 Ill. Adm. Code 1843.14.

Section 1846.18 Payment of penalty.

a) No abatement or appeal. If a notice of proposed individual civil penalty assessment becomes a final administrative decision in the absence of a petition for review or abatement agreement, the penalty shall be due upon issuance of the Department's decision.

b) Appeal. If an individual named in a notice of proposed individual civil penalty assessment files a petition for review in accordance with Section 1843.16, the penalty shall be due upon issuance of a final administrative decision affirming, increasing or decreasing the proposed penalty.

c) Abatement agreement. Where the Department and the corporate permittee or individual have agreed in writing on a plan for the abatement of or compliance with the unabated order, an individual

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named in a notice of proposed individual civil penalty assessment may postpone payment until receiving either a final administrative decision from the Department stating that the penalty is due on the date of such final administrative decision, or written notice that abatement or compliance is satisfactory and the penalty has been withdrawn.

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- 1) Heading of the Part: Permanent Program Performance Standards--Surface Mining Activities

- 2) Code Citation: 62 Ill. Adm. Code 1816

- 3) Section Number:

	<u>Proposed Action</u>
1816.49	Amended
1816.61	Amended
1816.64	Amended
1816.67	Amended
1816.68	Amended
1816.83	Amended
1816.97	Amended
1816.99	Amended
1816.102	Amended

- 4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:

On October 25, 1988, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) conditionally approved the Illinois Department of Mines and Minerals' (Department) amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

Finally, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under SMCRA and under Section 4.02 of the Illinois Administrative Procedure Act (IAPA). Ill. Rev. Stat. 1987, ch. 127, par. 1004.02.

The following discussion describes the Department's proposed amendments to Part 1816 in response to these OSMRE directives and agency concerns:

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NOTICE OF PROPOSED AMENDMENTS

Section 1816.49 sets forth the Department's performance standards for temporary and permanent impoundments constructed to facilitate surface coal mining operations. The proposed amendments to subsection (a)(9) define a level of experience for professionals charged with inspecting impoundments, in accordance with Section 4.02 of the IAPA, specify the timing of impoundment inspections and clarify the location of impoundment inspection reports. The proposed amendments to subsection (a)(10) set forth exemptions from quarterly impoundment examinations for certain classes of impoundments if the operator can make the requisite showing. These amendments will make the impoundment inspection and examination requirements more suitable to the mining conditions existing in Illinois. Given Illinois' flat topography and the lack of any impoundment failures, the frequency and detail of the Department's proposed inspection and examination rules will provide the same amount of protection to the public and the environment as the current regulations while being less burdensome to Illinois operators.

The proposed amendments to subsections (b)(9) and (c) address an OSMRE program condition set forth in the October 25, 1988 approval of the Department's amended regulations. The proposed amendments to subsections (b) and (c) clarify the spillway requirements for both permanent and temporary impoundments meeting the criteria of the Mine Safety and Health Administration (MSHA) set forth in 30 CFR 77.216(a). Proposed new subsection (b)(9) also changes the spillway sizing criteria for non-MSHA permanent impoundments from a fifty (50) year to a twenty-five (25) year, six (6) hour precipitation event. These proposed amendments bring Illinois' rules into conformance with OSMRE's counterpart impoundment regulation, 30 CFR 816.49.

Section 1816.61 lists the general requirements for blasting operations associated with surface coal mining operations. Proposed new subsection (c) specifically limits the Department's requirements set forth in 62 Ill. Adm. Code 1780.13, 1816.62 through 1816.66(b) and 1816.68 to blasts using more than twenty-five (25) pounds of explosives. This rule change will allow the operator to use small amounts of explosives without the burden of complying with the scheduling, warning sign, pre-blasting survey and blasting operations records requirements set forth in these rules. However, the operator will still be required to comply with air blast, ground vibration, and flyrock limits and be required to use a certified blaster and submit blast designs for blasting within 1,000 feet of structures or within 500 feet of underground mines. Current subsection (c) would be redesignated as subsection (d).

Section 1816.64 sets forth the Department's requirements for publishing, distributing and compliance with blasting schedules. The proposed amendments to subsection (c)(1) serve to make the

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Department's requirements consistent with the proposed amendments to Section 1816.61(c).

Section 1816.67 sets forth the Department's requirements for limiting and monitoring the off-site adverse effects of blasting operations; i.e., ground vibration, air blast and flyrock. The proposed amendment to subsection (c)(1) changes the cube root scaled distance from 500 to 350. A cube root scaled distance of 350 will provide adequate results from a regulatory stand point while reducing the burden to operators.

Section 1816.68 sets forth the Department's requirements for compiling and maintaining records, including seismograms and air blast recordings where required, of each production blast fired at the mine in the permit area. The Department proposes to delete the requirement to record wind velocity and direction given that these factors do not change air blast limits.

Section 1816.83 sets forth the Department's requirements regarding coal mine waste refuse piles. The proposed amendment to subsection (a)(3) corrects a typographical error in a regulation citation contained in this rule.

Section 1816.97 sets forth the Department's requirements concerning the protection of fish, wildlife, and related environmental values. The proposed amendments to subsections (b) and (e)(4) make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 816.97.

Section 1816.99 sets forth the Department's requirements concerning slides and other damage. The proposed amendments to subsection (c) enhance clarity by specifying that the Department's lateral support requirements apply to any mine-related excavations.

Section 1816.102 sets forth the Department's general requirements regarding backfilling and grading. The proposed amendment to subsection (a)(2) corrects a typographical error in a regulation citation contained in this rule.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

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No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1816

PERMANENT PROGRAM PERFORMANCE STANDARDS - SURFACE MINING ACTIVITIES

Section	
1816.11	Signs and Markers
1816.13	Casing and Sealing of Drilled Holes: General Requirements
1816.14	Casing and Sealing of Drilled Holes: Temporary
1816.15	Casing and Sealing of Drilled Holes: Permanent
1816.21	Topsoil: General Requirements (Repealed)
1816.22	Topsoil and Subsoil
1816.23	Topsoil: Storage (Repealed)
1816.24	Topsoil: Redistribution (Repealed)
1816.25	Topsoil: Nutrients and Soil Amendments (Repealed)
1816.41	Hydrologic Balance Protection
1816.42	Hydrologic Balance: Water Quality Standards and Effluent Limitations
1816.43	Diversions
1816.44	Hydrologic Balance: Stream Channel Diversions (Repealed)
1816.45	Hydrologic Balance: Sediment Control Measures
1816.46	Hydrologic Balance: Siltation Structures
1816.47	Hydrologic Balance: Discharge of Structures
1816.48	Hydrologic Balance: Acid-Forming and Toxic-Forming Spoil (Repealed)
1816.49	Impoundments
1816.50	Hydrologic Balance: Ground Water Protection (Repealed)
1816.51	Hydrologic Balance: Protection of Ground Water Recharge Capacity (Repealed)
1816.52	Hydrologic Balance: Surface and Ground Water Monitoring (Repealed)
1816.53	Hydrologic Balance: Transfer of Wells (Repealed)
1816.54	Hydrologic Balance: Water Rights and Replacement (Repealed)
1816.55	Hydrologic Balance: Discharge of Water Into an Underground Mine (Repealed)
1816.56	Post-Mining Rehabilitation of Sedimentation Ponds, Diversions, Impoundments, and Treatment Facilities
1816.57	Hydrologic Balance: Stream Buffer Zones
1816.59	Coal Recovery
1816.61	Use of Explosives: General Requirements
1816.62	Use of Explosives: Pre-Blasting Survey
1816.64	Use of Explosives: Public Notice of Blasting Schedule
1816.65	Use of Explosives: Surface Blasting Requirements (Repealed)
1816.66	Use of Explosives: Blasting Signs, Warnings, and Access Control
1816.67	Use of Explosives: Control of Adverse Effects
1816.68	Use of Explosives: Records of Blasting Operations
1816.71	Disposal of Excess Spoil: General Requirements
1816.72	Disposal of Excess Spoil: Valley Fills/Head-of-Hollow Fills
1816.73	Disposal of Excess Spoil: Head-of-Hollow Fills (Repealed)
1816.74	Disposal of Excess Spoil: Durable Rock Fills

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1816.75	Disposal of Excess Spoil: Preexisting Benches
1816.79	Protection of Underground Mining
1816.81	Coal Mine Waste: General Requirements
1816.82	Coal Processing Waste Banks: Site Inspection (Repealed)
1816.83	Coal Mine Waste: Refuse Piles
1816.84	Coal Mine Waste: Impounding Structures
1816.85	Coal Processing Waste Banks: Construction Requirements (Repealed)
1816.86	Coal Processing Waste: Burning (Repealed)
1816.87	Coal Mine Waste: Burned Waste Utilization
1816.88	Coal Processing Waste: Return to Underground Workings (Repealed)
1816.89	Disposal of Noncoal Mine Wastes
1816.91	Coal Processing Waste: Dams and Embankments: General Requirements (Repealed)
1816.92	Coal Processing Waste: Dams and Embankments: Site Preparation (Repealed)
1816.93	Coal Processing Waste: Dams and Embankments: Design and Construction (Repealed)
1816.94	Coal Processing Waste: Time and Requirements for Completion of Covering (Repealed)
1816.95	Stabilization of Surface Areas
1816.97	Protection of Fish, Wildlife, and Related Environmental Values
1816.99	Slides and Other Damage
1816.100	Contemporaneous Reclamation
1816.101	Backfilling and Grading: General Requirements
1816.102	Backfilling and Grading: General Grading Requirements
1816.103	Backfilling and Grading: Covering or Treating Coal and Acid- and Toxic-Forming Materials (Repealed)
1816.104	Backfilling and Grading: Thin Overburden
1816.105	Backfilling and Grading: Thick Overburden
1816.106	Backfilling and Grading: Previously Mined Areas
1816.107	Backfilling and Grading: Steep Slopes
1816.111	Revegetation: General Requirements
1816.112	Revegetation: Use of Introduced Species (Repealed)
1816.113	Revegetation: Timing
1816.114	Revegetation: Mulching and Other Soil Stabilizing Practices
1816.115	Revegetation: Grazing (Repealed)
1816.116	Revegetation: Standards for Success
1816.117	Revegetation: Tree and Shrub Stocking for Forest Land
1816.131	Cessation of Operations: Temporary
1816.132	Cessation of Operations: Permanent
1816.133	Post-Mining Land Capability
1816.150	Roads
1816.180	Utility Installations
1816.181	Support Facilities
1816.190	Affected Acreage Map

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2,

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pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; amended at 6 Ill. Reg. 3024, effective December 30, 1982; codified at 8 Ill. Reg. 8224; amended at 9 Ill. Reg. 13310, effective October 10, 1985; amended at 10 Ill. Reg. 8985, effective July 1, 1986; amended at 11 Ill. Reg. 8131, effective July 1, 1987; amended at 11 Ill. Reg. _____, effective _____, 1990.

Section 1816.49 Impoundments

- a) The requirements of this subsection apply to both temporary and permanent impoundments.

1) Impoundments meeting the size and other qualifying criteria of 30 CFR 77.216(a) shall comply with the requirements of 30 CFR 77.216 and this Section. The plan required to be submitted to the District Manager of the Mine Safety and Health Administration (MSHA) under 30 CFR 77.216 shall also be submitted to the Department as part of the permit application insofar as the MSHA informational design standard requirements are duplicative of the requirements of 62 Ill. Adm. Code 1780. In addition, the operator shall submit to the Department any certification issued by MSHA with respect to the design plan.

2) The design of impoundments shall be sealed in accordance with 62 Ill. Adm. Code 1780.25(a) as designed to meet the requirements of this Part using current, prudent engineering practices. The qualified registered professional engineer shall be experienced in the design and construction of impoundments.

3) Impoundments shall have a minimum static safety factor of 1.5 for the normal pool with steady seepage saturation conditions, and a seismic safety factor of at least 1.2.

4) Impoundments shall have adequate freeboard to resist overtopping by waves and by sudden increases in storage volume.

5) Foundations.

A) Foundations and abutments for the impounding structure shall be designed to be stable under all conditions of construction and operation of the impoundment. Sufficient foundation investigations and laboratory testing shall be performed in order to determine the design requirements for foundation stability.

B) All vegetative and organic materials shall be removed and foundations excavated and prepared to resist failure. Cutoff trenches shall be installed if necessary to ensure stability.

6) Slope protection shall be provided to protect against surface erosion at the site and protect against sudden drawdown.

7) Faces of embankments and surrounding areas shall be vegetated, except that faces where water is impounded may be riprapped or otherwise stabilized in accordance with accepted design practices.

8) Impoundments shall include a combination of principal and emergency spillways which shall be designed and constructed to safely pass the design precipitation event specified in subsection (b) or (c).

9) Inspections. A qualified registered professional engineer or other qualified professional specialist, under the direction of the professional engineer, shall inspect the impoundment. The professional engineer or specialist shall be experienced in the construction of impoundments, as evidenced by the placement of a registered professional engineer's seal on the inspection report.

A) Inspections shall be made regularly during construction upon completion of construction and at least yearly until removal of the structure or release of the performance bond. Impoundments meeting the size or other criteria of 30 CFR 77.216(a) shall be inspected, examined and certified in accordance with 30 CFR 77.216. Annual status reports required under 30 CFR 77.216-4 shall be submitted to the Department within 30 days after the reporting period.

B) All other impoundments shall be inspected at least quarterly during construction and upon completion of construction. The qualified registered professional engineer shall submit to the Department promptly, within thirty (30) days after each inspection, provide to the Department a sealed report that the impoundment has been constructed as designed and maintained as designed and in accordance with the approved plan and these regulations. The report shall include discussion of any appearances of instability, structural weakness or other hazardous conditions, depth and elevation of any impounded water, existing storage capacity, any existing or required

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monitoring procedures and instrumentation, and any other aspects of the structure affecting stability.

- C) A copy of the reports required in subsections (a) (9) (A) and (B) above, and the examination reports required in subsection (a) (10) below, shall be retained at or near the mine site. The Department may approve reports being retained at a different location if there is no permanent mine office.

- 10) Impoundments which do not meet the size or other qualifying criteria of 30 CFR 77.216(a) shall be examined in accordance with 30 CFR 77.216. Other impoundments shall be examined at least quarterly by a qualified person designated by the permittee for appearances of instability, structural weakness or other hazardous conditions. At least one of the quarterly examinations conducted during the calendar year shall be sealed by a qualified registered professional engineer and shall include a discussion of any appearances of instability, structural weakness or other hazardous conditions, and any other aspects of the structure affecting stability. This examination shall be conducted during the period of October 1 through December 31 of each calendar year. The sealed examination report shall be submitted to the Department within 30 days of the examination. Impoundment examinations shall be conducted until the impoundment has been removed or until final bond release. If the operator can demonstrate that failure of the structure would not create a potential threat to public health and safety or threaten significant environmental harm, the following impoundments shall be exempt from the examination requirements of this subsection:

- A) Impoundments that are completely incised;
 B) Water impounding structures that impound water to an elevation less than five (5) feet above the upstream toe of the structure and that can have a storage volume of not more than twenty (20) acre/feet; and
 C) Impoundments that do not facilitate mining or reclamation.

- 11) If any examination or inspection discloses that a potential hazard exists, the person who examined the impoundment shall promptly inform the Department of the finding and of the emergency procedures formulated for public protection and remedial action. If adequate procedures cannot be formulated or implemented, the Department shall be notified immediately.

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The Department shall then notify the appropriate agencies that other emergency procedures are required to protect the public.

- b) Permanent impoundments. A permanent impoundment of water may be created, if authorized by the Department in the approved permit, based upon the following demonstration:

- 1) The size and configuration of the impoundment is adequate for its intended purposes.
- 2) The quality of impounded water will be suitable on a permanent basis for its intended use and, after reclamation, will meet water quality standards set forth in Section 1816.42, and discharges from the impoundment will meet applicable effluent limitations and will not degrade the quality of receiving water below water quality standards set forth in Section 1816.42.
- 3) The water level will be sufficiently stable and be capable of supporting the intended use.
- 4) Final grading will provide for adequate safety and access for proposed water users.
- 5) The impoundment will not result in the diminution of the quality and quantity of water utilized by adjacent or surrounding landowners for agricultural, industrial, recreational, or domestic uses.
- 6) The impoundment will be suitable for the approved post-mining land use.
- 7) The impoundment perimeter slopes shall be consistent with the intended use of the impoundment, not be steeper than the angle of repose and comply with subsection (a)(3). Where surface runoff enters the impoundment area, the side slope shall be protected against erosion.
 - A) Runoff from above the slope shall be diverted to erosion free outlets.
 - B) Grading of slopes shall be scheduled to be completed at the onset of the most favorable seeding period.
- 8) Embankment ponds, those having embankment heights of three (3) feet or greater above natural ground elevation, shall have out-slopes of 1v:2h or less and interior slopes to the normal pool elevation of 1v:2h or less.

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- 9) Permanent impoundments ~~not meeting the size of other qualifying~~ ~~criteria of 30 CFR 77.216(a)~~ shall be provided with a spillway that will safely discharge a ~~five (50) twenty~~ ~~five (25) year~~, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors, such as terrain, topography and soil type. Permanent impoundments meeting the size or other criteria of Section 77.216(a) shall be provided with a spillway that will safely discharge a one hundred (100) year, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors such as terrain, topography and soil type.

c) Temporary impoundments.

Temporary impoundments ~~not meeting the size of other qualifying~~ ~~criteria of 30 CFR 77.216(a)~~ shall be provided with a spillway that will safely discharge a twenty-five (25) year, six (6) hour precipitation event or such larger event as may be required by the Department based on factors, such as terrain, topography and soil type. Temporary impoundments meeting the size or other criteria of Section 77.216(a) shall be provided with a spillway that will safely discharge a one hundred (100) year, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors such as terrain, topography and soil type.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.61 Use of Explosives: General Requirements

- a) Each person who conducts surface mining activities shall comply with all applicable State and Federal laws in the use of explosives.
- b) All blasting operations shall be conducted by persons certified by the Department in accordance with 62 Ill. Adm. Code 1850.

- c) 62 Ill. Adm. Code 1780.13, 1816.62 through 1816.66(b) and 1816.68 apply only to blasting operations that consist of blasts that use more than 25 pounds of explosives or blasting agents.

ed) Blast design.

- 1) An anticipated blast design shall be submitted if blasting operations will be conducted within:

- A) One thousand (1,000) feet of any building used as a dwelling, public building, school, church, or community or institutional building outside the permit area; or

- B) Five hundred (500) feet of an active or abandoned underground mine.

- 2) The blast design may be presented as part of the permit application or at a time, before the blast, approved by the Department.

- 3) The blast design shall contain sketches of the drill patterns, delay periods, and decking and shall indicate the type and amount of explosives to be used, critical dimensions, and the location and general description of structures to be protected, as well as a discussion of design factors to be used, which protect the public and meet the applicable air blast, flyrock, and ground vibration standards in Section 1816.67.

- 4) The blast design shall be prepared and signed by a certified blaster.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.64 Use of Explosives: Public Notice of Blasting Schedule

- a) All blasting shall be conducted from sunrise to sunset, and at times announced in the blasting schedule. The Department shall limit the area covered, timing and sequence of blasting, as listed in the schedule, if such limitations are necessary and reasonable in order to protect public health, safety or welfare.

- b) Unscheduled blasting may be conducted only where public or operator health and safety so require. When an operator conducts an unscheduled blast, the operator, using audible warning signals, shall notify residents within one-half (1/2) mile of the blasting site and document the reason(s) for the unscheduled blast in accordance with subsection 1816.68(a)(17).

- c) Blasting schedule publication.

- 1) Each person who conducts surface mining activities shall publish a blasting schedule at least thirty (30) days, but not more than sixty (60) days, before beginning a blasting program in which blasts that use more than five (5) pounds of explosive or blasting agent are detonated. The blasting schedule shall be published in a newspaper of general circulation in the locality of the blasting site.

- 2) Copies of the schedule shall be distributed by mail to local governments and public utilities and mailed or delivered to each residence within one-half (1/2) mile of the proposed

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blasting area and to every other person within or outside such area to whom the Department requires to be mailed, and daily notices shall be provided to such persons prior to any blasting.

- 3) The person who conducts the surface mining activities shall republish and redistribute the schedule by mail at least every twelve (12) months and revise and republish the schedule at least thirty (30) days but not more than sixty (60) days before blasting in areas not covered in the current schedule or if the actual blasting times differ from the time periods listed in the current schedule for more than twenty percent (20%) of the blasts fired.

d) Blasting schedule contents.

- 1) A blasting schedule shall not be so general as to cover the entire permit area or all working hours, but shall identify as accurately as possible the location of the blasting sites and the time periods when blasting will occur.

- 2) The blasting schedule shall contain at a minimum:

- A) Identification of the specific areas in which blasting will take place;
- B) Dates and time periods when explosives are to detonated;
- C) Methods to be used to control access to the blasting area;
- D) Types of audible warnings and all-clear signals to be used before and after blasting, and
- E) Name, address, and telephone number of operator.

e) Public notice of changes in blasting schedules.

Before blasting in areas or at times not in a previous schedule, the person who conducts the surface mining activities shall prepare a revised schedule according to the procedures in subsections (c) and (d).

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1816.67 Use of Explosives: Control of Adverse Effects

- a) Blasting shall be conducted to prevent injury to persons, damage to public or private property outside the permit area, adverse impacts

on any underground mine, and change in the course, channel or availability of ground or surface water outside the permit area.

b)

- 1) Air blast shall be controlled so that it does not exceed the values specified below at any dwelling, public building, school, church, or commercial or institutional structure, unless such structure is owned by the person who conducts the surface mining activities and is not leased to any other person. If a building owned by the person conducting surface mining activities is leased to another person, the lessee may sign a waiver relieving the operator from meeting the air blast limitations of this subsection. The waiver shall be submitted to the Department before beginning blasting.

Lower frequency limit of measuring system, Hz ± 3 dB	Maximum level in dB
0.1 Hz or lower--flat response	134 peak
2.0 Hz or lower--flat response	133 peak
6.0 Hz or lower--flat response	129 peak

Only when approved by the Department

- 2) The measuring systems used shall have a flat frequency response of at least two hundred (200) Hz at the upper end.

- 3) The person who conducts blasting may satisfy the provisions of subsection (b) by meeting any of the three (3) specifications in the chart in subsection (b)(1).

- 4) If necessary to prevent damages specified in subsection (a), the Department shall specify lower maximum allowable airblast levels than those in subsection (b)(1) for use in the vicinity of a specific blasting operation.

c)

- 1) When the cube root scaled distance, as defined in subsection (c)(2), to the nearest dwelling, public building, school, church, or commercial or institutional structure has a value less than 500 350 and when:

- A) The burden to hole depth ratio is greater than 1.0, or
- B) The top stemming height is less than seventy percent (70%) of the burden dimension, the air blast produced by that blast shall be measured, recorded, analyzed, and reported pursuant to subsection (h) and Section 1816.68(b). This subsection shall not apply to horizontal blast holes

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drilled from the floor of the pit.

- 2) Cube root scaled distance equals the distance in feet, from the blast to a specified location divided by the cube root of the maximum weight of explosives, in pounds, to be detonated in any eight (8) millisecond period.
- 3) To ensure compliance with the limits contained in this Section, the Department may require an air blast measurement of any or all blasts, and may specify the location of such measurements.
- d) Flyrock, including blasted material traveling in the air, or along the ground, shall not be cast beyond the permit boundaries or beyond the area of regulated access required under Section 1816.66(c), or more than one-half the distance to the nearest dwelling or other occupied structure.

e) In all blasting operations, except as otherwise authorized in this Section, the maximum peak particle velocity shall not exceed one (1) inch per second at the location of any dwelling, public building, school, church, or commercial or institutional building. At distances greater than five thousand (5,000) feet from the blast to any structures described in this subsection, the maximum allowable peak particle velocity shall not exceed 0.75 inch per second at the locations of the structures described in this subsection. At distances less than three hundred (300) feet from the blast to any structures described in this subsection, the maximum allowable peak particle velocity shall not exceed 1.25 inch per second at the locations of the structures described in this subsection. These limits shall apply separately to each component of motion as defined in Section 1816.67(h). The Department shall reduce peak particle velocity limits if determined necessary to provide damage protection, if so recommended in any pre-blast survey or condition survey report provided pursuant to Section 1816.62.

f) If blasting is conducted to prevent adverse impacts on any underground mine and changes in the course, channel, or availability of ground, or surface water outside the permit area, then the maximum peak particle velocity limitation of subsection (d) shall not apply at the following location:

- 1) At structures owned by the person conducting the mining activity, and not leased to another party; and
- 2) At structures owned by the person conducting the mining activity, and leased to another party, if a written waiver by the lessee is submitted to the Department prior to blasting.

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g) When the scaled distance, as defined below, has a value less than sixty (60) at the nearest dwelling, public building, school, church, or commercial or institutional structure, a seismograph recording shall be made at or near the closest structure requiring protection.

- 1) Scaled Distance = The distance, in feet, from the blast to a specified location divided by the square root of the maximum weight of explosives, in pounds, to be detonated in any eight (8) millisecond period.

2) To ensure compliance with the limits contained in this Section, the Department may require a seismograph recording of any or all blasts and may specify the location at which such recordings are made.

h) As used herein, seismograph recording or record or air blast recording or record shall mean:

A visually inspectable cartesian representation of the time history of the particle velocity levels or air blast levels versus time. Time is represented on the "x" axis. The particle velocity is shown by three traces representing mutually perpendicular components of motion. The components are oriented vertically, transversely, and longitudinally to the horizontal direction from the recording location to the location of the blast. The air blast time history is represented by a single trace. The record or recording includes either an analog representation of, or a written description of the vertical scale for the particle velocity traces and the air blast trace. The units for the particle velocity traces and scale are in inches per second. The units for the air blast trace and scale are in millibars, pounds per square inch, or decibels. The recording also includes an analog or descriptive time scale. The time units are in seconds.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.68 Use of Explosives: Records of Blasting Operations

a) A record of each blast, including seismograph reports, shall be retained by the operator for at least three (3) years and shall be available for inspection by the Department and the public on request. The record is to be completed by the end of the work day following the day in which the blast occurred, including the seismograph meter reading, if available, and shall contain the following data:

- 1) Name of the operator conducting the blast;

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- 2) Location, date, and time of blast;
- 3) Name, signature, and certification number of the blaster conducting the blast;
- 4) The name of the owner or resident of, and the direction and distance, in feet, to the nearest dwelling, school, church, or commercial, or institutional building either:
 - A) Not located in the permit area; or
 - B) Not owned by the person who conducts the surface mining activities.
- 5) Type of material blasted;
- 6) Number of holes, burden, and spacing;
- 7) Diameter and depth of holes;
- 8) Types of explosives used;
- 9) Total weight of explosives used;
- 10) Weight of explosives used per hole;
- 11) Maximum weight of explosives detonated within any eight (8) millisecond period;
- 12) Maximum number of holes or decks detonated within any eight (8) millisecond period;
- 13) Initiation system;
- 14) Type and length of stemming;
- 15) Type of delay detonator and delay periods used;
- 16) Sketch of the delay pattern, including decking;
- 17) Reasons and conditions for each unscheduled blast; and.
- ~~18) Wind velocity and direction.~~

b) Air blast and/or ground vibration recordings, or photographic copies thereof, where required, shall be kept at the mine site office for a period of three (3) years following the date of the blast, and shall be available for inspection by the Department and the public on

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request. The recordings shall include the following:

- 1) Maximum air blast and/or ground vibration levels recorded;
- 2) The exact location of the monitoring equipment, and its distance from the blast, and the date and time of the recording;
- 3) Name of the person and firm making the recording;
- 4) Name of the person and firm analyzing the recording. The recording shall be signed and dated by the person performing the analysis; and
- 5) The type of instrument, sensitivity, and calibration signal or certification of annual calibration. When the recordings required at Sections 1816.67(c) and 1816.67(g) are produced via digitized systems, the sampling rate of the digitizer, in samples per second, shall be stated.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.83 Coal Mine Waste: Refuse Piles

Refuse piles shall meet the requirements of Section 1816.81, the additional requirements of this Section, and the requirements of 30 CFR 77.214 and 77.215 (1986). 30 CFR 77.214 and 77.215 (1986) do not include any subsequent amendments or editions.

a) Drainage control.

- 1) If the disposal area contains springs, natural or man-made water courses, or wet weather seeps, the design shall include diversions and underdrains as necessary to control erosion, prevent water infiltration into the disposal facility and ensure stability.
- 2) Uncontrolled surface drainage may not be diverted over the outslope of the refuse piles. Runoff from the areas above the refuse pile and runoff from the surface of the refuse pile shall be diverted into stabilized diversion channels designed to meet the requirements of Section 1816.43 to safely pass the runoff from a one hundred (100) year, six (6) hour precipitation event. Runoff diverted from undisturbed areas need not be commingled with runoff from the surface of the refuse pile.
- 3) Underdrains shall comply with the requirements of Section

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1816.73(1)(2).

- b) Surface area stabilization. Slope protection shall be provided to minimize erosion at the site. All disturbed areas, including diversion channels that are not ripped or otherwise protected from erosion, shall be revegetated upon completion of construction.

c) Placement.

- 1) All vegetative and organic materials shall be removed from the disposal area prior to placement of coal mine waste. Topsoil shall be removed, segregated and stored or redistributed in accordance with Section 1816.22. If approved by the Department, organic material may be used as mulch, or may be included in the topsoil to control erosion, promote growth of vegetation or increase the moisture retention of the soil.

- 2) The final configuration of the refuse pile shall be suitable for the approved post-mining land use. Terraces may be constructed on the outslope of the refuse pile if required for stability, erosion control, conservation of soil moisture, or facilitation of the approved post-mining land use. The grade of the outslope between terrace benches shall not be steeper than 2h:1v (fifty (50) percent).

- 3) No permanent impoundments shall be allowed on the completed refuse pile. Small depressions may be allowed by the Department if they are needed to retain moisture, minimize erosion, create and enhance wildlife habitat, or assist revegetation, and if they are not incompatible with stability of the refuse pile.

- 4) Following final grading of the refuse pile, the coal mine waste shall be covered with a minimum of four (4) feet of the best available, nontoxic and noncombustible material, in a manner that does not impede drainage from the underdrains. The Department may allow less than four (4) feet of cover material based on physical and chemical analyses which show that the requirements of Section 1816.111 through 1816.117 will be met.

- d) Inspections. A qualified registered professional engineer, or other qualified professional specialist under the direction of the professional engineer, shall inspect the refuse pile during construction. The professional engineer or specialist shall be experienced in the construction of similar earth and waste structures.

- 1) Such inspections shall be made at least quarterly throughout

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construction and during critical construction periods. Critical construction periods shall include foundation preparation including the removal of all organic material and topsoil; placement of underdrains and protective filter systems; installation of final surface drainage systems; and the final graded and revegetated facility. Regular inspections by the engineer or specialist shall also be conducted during placement and compaction of coal mine waste materials. More frequent inspections shall be conducted if a danger of harm exists to the public health and safety or the environment. Inspections shall continue until the refuse pile has been finally graded and revegetated.

- 2) The qualified registered professional engineer shall provide a sealed report to the Department promptly after each inspection that the refuse pile has been constructed and maintained as designed and in accordance with the approved plan and 62 Ill. Adm. Code 1700 through 1850. The report shall include appearances of instability, structural weakness, and other hazardous conditions.

- 3) The sealed report on the drainage system and protective filters shall include color photographs taken during and after construction, but before underdrains are covered with coal mine waste. If the underdrain system is constructed in phases, each phase shall be sealed separately. The photographs accompanying each certified report shall be taken in adequate size and number with enough terrain or other physical features of the site shown to provide a relative scale to the photographs and to specifically and clearly identify the site.

- 4) A copy of each inspection report shall be retained at or near the minesite.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.97 Protection of Fish, Wildlife, and Related Environmental Values

- a) The operator shall, to the extent possible using the best technology currently available, minimize disturbances and adverse impacts of the activities on fish, wildlife, and related environmental values, and shall achieve enhancement of such resources where practicable.

- b) No surface mining activity shall be conducted which will is likely to jeopardize the continued existence of endangered or threatened species listed by the Secretary of the United States Department of the Interior (Secretary) or which will is likely to result in the

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destruction or adverse modification of designated critical habitats of such species in violation of the Endangered Species Act (16 U.S.C. 1531 et seq.). The operator shall immediately report to the Department any State- or federally-listed endangered or threatened species within the permit area of which the operator becomes aware. Upon notification, the Department shall consult with appropriate State and Federal fish and wildlife agencies and, after consultation, shall identify whether, and under what conditions, the operator may proceed.

c) No surface mining activity shall be conducted in a manner which would result in the unlawful taking of a bald or golden eagle, its nest, or any of its eggs. The operator shall promptly report to the Department any golden or bald eagle nest within the permit area of which the operator becomes aware. Upon notification, the Department shall consult with the U.S. Fish and Wildlife Service and also, where appropriate, the State fish and wildlife agency and after consultation, shall identify whether, and under what conditions, the operator may proceed in order to ensure that the operation is not in violation of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.).

d) Nothing in these regulations shall authorize the taking of an endangered or threatened species or a bald or golden eagle, its nest, or any of its eggs in violation of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.), or the Bald Eagle Protection Act, as amended, (16 U.S.C. 668 et seq.).

e) Each operator shall, to the extent possible using the best technology currently available:

- 1) Ensure that electric powerlines and other transmission facilities used for, or incidental to, surface mining activities on the permit area are designed and constructed to minimize electrocution hazards to raptors, except where the Department determines that such requirements are unnecessary, due to factors such as the absence of raptors;
- 2) Locate and operate haul and access roads so as to avoid or minimize impacts on important fish and wildlife species or other species protected by State or Federal law specified in 62 Ill. Adm. Code 1773.12; and
- 3) Design fences, overland conveyers, and other potential barriers to permit passage for large mammals, except where the Department determines that such requirements are unnecessary, due to factors such as the absence of large mammals, and

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4) Fence, cover, or use other appropriate methods to exclude wildlife from ponds which contain hazardous concentrations of toxic-forming materials.

f) The operator conducting surface mining activities shall avoid disturbances to, enhance where practicable, restore, or replace, wetlands, and riparian vegetation along rivers and streams and bordering ponds and lakes. Surface mining activities shall avoid disturbances to, enhance where practicable, or restore, habitats of unusually high value for fish and wildlife such as wetlands and riparian vegetation.

g) Where fish and wildlife habitat is to be a post-mining land use, the plant species to be used on reclaimed areas shall be selected on the basis of the following criteria:

- 1) Their proven nutritional value for fish or wildlife.
- 2) Their use as cover for fish or wildlife.
- 3) Their ability to support and enhance fish or wildlife habitat after the release of performance bonds. The selected plants shall be grouped and distributed in a manner which optimizes edge effect, cover, and other benefits to fish and wildlife.
- h) Where cropland is to be the post-mining land use, where appropriate for wildlife and crop management practices, the operator shall intersperse the fields with trees, hedges, or fence rows throughout the harvested area to break up large blocks of monoculture and to diversify habitat types for birds and other animals.

i) Where residential, public service, or industrial uses are to be the post-mining land use, and where consistent with the approved post-mining land use, the operator shall intersperse reclaimed lands with greenbelts utilizing species of grass, shrubs, and trees useful as food and cover for wildlife.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.99 Slides and Other Damage

- a) An undisturbed natural barrier or constructed outcrop shall be provided beginning at the elevation of the lowest coal seam to be mined and extending from the outcrop for such distance as may be determined by the Department as is needed to assure stability. The barrier shall be retained in place to prevent slides and erosion.
- b) At any time a slide occurs which may have a potential adverse affect

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on public property, health, safety, or the environment, the person who conducts the surface mining activities shall notify the Department by the fastest available means and comply with any remedial measures required by the Department.

- c) Operators that remove and do not replace the lateral support within a three (3) month period shall not, unless mutually agreed upon by the operator and the adjacent property owner, approach property lines, established right-of-way lines of any public roads, streets or highways closer than a distance, measured horizontally from the property line or right-of-way, equal to ten (10) feet plus one and one-half (1 1/2) times the depth of the any excavation except where consolidated materials or materials of sufficient hardness or ability to resist weathering and to inhibit erosion or sloughing exists in the ~~highwall~~ excavation, the distance from the property line or any established right-of-way line shall not, unless mutually agreed, be closer than a distance equal to ten (10) feet plus one and one-half (1 1/2) times the depth from the natural ground surface to the top of the consolidated material or materials. When the operator desires to remove the lateral support and replace it within a three (3) month period, the operator shall submit to the Department a written request for said purpose, outlining how the lateral support shall be replaced within three (3) months. Said request shall be approved or denied by the Department in accordance with 62 Ill. Adm. Code 1774.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1816.102 Backfilling and Grading: General Grading Requirements

- a) Disturbed areas shall be backfilled and graded to:
- 1) Achieve the approximate original contour, except as provided in subsection (k);
 - 2) Eliminate all highwalls, spoil piles, and depressions, except as provided in subsection (h) (small depressions) and in subsection (k)(3)(~~iii~~)(C) (previously mined highwalls);
 - 3) Achieve a post-mining slope that does not exceed either the angle of repose or such lesser slope as is necessary to achieve a minimum long-term static safety factor of 1.3 and to prevent slides;
 - 4) Minimize erosion and water pollution both on and off the site in accordance with Sections 1816.42 and 1816.95; and
 - 5) Support the approved post-mining land use.

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- b) Spoil, except excess spoil disposed of in accordance with Sections 1816.71 through 1816.74, shall be returned to the mined-out area.
- c) Spoil and waste materials shall be compacted to ensure stability or to prevent leaching of toxic materials.
- d) Spoil may be placed on the area outside the mined-out area in nonsteep slope areas to restore the approximate original contour by blending the spoil into the surrounding terrain if the following requirements are met:
- 1) All vegetative and organic material shall be removed from the area.
 - 2) The topsoil on the area shall be removed, segregated, stored, and redistributed in accordance with Section 1816.22.
 - 3) The spoil shall be backfilled and graded on the area in accordance with the requirements of this Section.
- e) Disposal of coal processing waste and underground development waste in the mined-out area shall be in accordance with Sections 1816.81 and 1816.83, except that a long-term static safety factor of 1.3 shall be achieved.
- f) Exposed coal seams, acid- and toxic-forming materials, and combustible materials exposed, used, or produced during mining shall be adequately covered with nontoxic and noncombustible material, or treated, to control the impact on surface and groundwater in accordance with Section 1816.41, to prevent sustained combustion, and to be in compliance with the revegetation requirements of Section 1816.111(a) and the approved post-mining land use.
- g) Cut-and-fill terraces may be allowed by the Department where:
- 1) Needed to conserve soil moisture to ensure revegetation, ensure stability, and control erosion on final-graded slopes, if the terraces are compatible with the approved post-mining land use in accordance with Sections 1816.41, 1816.95 and 1816.111; or
 - 2) Specialized grading, foundation conditions, or ~~roads~~ are required for the approved post-mining land use, in which case the final grading may include a terrace to ensure the safety, stability, and erosion control necessary to implement the post-mining land use plan.
- h) Small depressions may be constructed if they are needed to minimize

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erosion, create and enhance wildlife habitat, or assist revegetation by retaining moisture, in accordance with Sections 1816.41, 1816.95, 1816.97 and 1816.111.

- 1) Permanent impoundments may be approved if they meet the requirements of Sections 1816.49 and 1816.56.
- j) Preparation of final-graded surfaces shall be conducted in a manner that minimizes erosion in accordance with Section 1816.45 and provides a surface for replacement of topsoil that will minimize slippage such as discing and scarification.
- k) The post-mining slope may vary from the approximate original contour when:

- 1) The standards for thin overburden in Section 1816.104 are met;
- 2) The standards for thick overburden in Section 1816.105 are met; or

- 3) Approval is obtained from the Department for:

- A) Mountaintop removal operations in accordance with 62 Ill. Adm. Code 1785.14;
- B) A variance from approximate original contour requirements in accordance with 62 Ill. Adm. Code 1785.16; or
- C) Incomplete elimination of highwalls in previously mined areas in accordance with Section 1816.106.

(Source: Amended at ___ Ill. Reg. ____, effective ____, 1990)

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- 1) Heading of the Part: Permanent Program Performance Standards—Underground Mining Operations

- 2) Code Citation: 62 Ill. Adm. Code 1817

- 3) Section Number: Proposed Action

1817.49	Amended
1817.61	Amended
1817.64	Amended
1817.66	Amended
1817.67	Amended
1817.68	Amended
1817.97	Amended
1817.83	Amended
1817.122	Amended

- 4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:

On October 25, 1988, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) conditionally approved the Illinois Department of Mines and Minerals' (Department) amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

Finally, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under SMCRA and under Section 4.02 of the Illinois Administrative Procedure Act (IAPA). Ill. Rev. Stat. 1987, ch. 127, par. 1004.02.

The following discussion describes the Department's proposed amendments to Part 1817 in response to these OSMRE directives and agency concerns:

Section 1817.49 sets forth the Department's performance standards for

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temporary and permanent impoundments constructed to facilitate underground coal mining operations. The proposed amendments to subsection (a)(9) define a level of experience for professionals charged with inspecting impoundments, in accordance with Section 4.02 of the IAPA, specify the timing of impoundment inspections and serve to clarify the location of impoundment inspection reports. The proposed amendments to subsection (a)(10) set forth exemptions from quarterly impoundment examinations for certain classes of impoundments if the operator can make the requisite showing. These amendments will make the impoundment inspection and examination requirements more suitable to the mining conditions existing in Illinois. Given Illinois' flat topography and the lack of any impoundment failures, the frequency and detail of the Department's proposed inspection and examination rules will provide the same amount of protection to the public and the environment as the current regulations while being less burdensome to Illinois operators.

The proposed amendments to subsections (b)(9) and (c) address an OSMRE program condition set forth in the October 25, 1988 approval of the Department's amended regulations. The proposed amendments to subsections (b) and (c) clarify the spillway requirements for both permanent and temporary impoundments meeting the criteria of the Mine Safety and Health Administration (MSHA) set forth in 30 CFR 77.216(a). Proposed new subsection (b)(9) also changes the spillway sizing criteria for non-MSHA permanent impoundments from a fifty (50) year to a twenty-five (25) year, six (6) hour precipitation event. These proposed amendments bring Illinois' rules into conformance with OSMRE's counterpart impoundment regulation, 30 CFR 817.49.

Section 1817.61 lists the general requirements for blasting operations associated with underground coal mining operations. Proposed new subsection (d) specifically limits the Department's requirements set forth in 62 Ill. Adm. Code 1817.62 through 1817.66(b) and 1816.68 to blasts using more than twenty-five (25) pounds of explosives. This rule change will allow the operator to use small amounts of explosives without the burden of complying with the scheduling, warning sign, pre-blasting survey and blasting operations records requirements set forth in these rules. However, the operator will still be required to comply with air blast, ground vibration, and flyrock limits and be required to use a certified blaster and submit blast designs for blasting within 1,000 feet of structures or within 500 feet of underground mines. Current subsection (d) would be redesignated as subsection (e).

Section 1817.64 sets forth the Department's general performance standards for blasting associated with underground coal mining operations. The Department's rules do not require the submission of blasting plans for underground coal mining permits. Thus, by adding the words "and the Department" to Section 1817.64(a), the Department ensures that it will receive notice of the proposed times and locations of blasting operations

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associated with underground coal mining operations.

Section 1817.66 sets forth the Department's requirements for blasting signs, audible blast warnings and all clear signals, and control of access to possible flyrock areas. Underground mine operators are not required to identify specific areas where blasting will take place. Thus, by using the word "site" instead of the word "area" in subsections (a) and (c), the operator will be required to place signs in the vicinity of the location that blasting will occur.

Section 1817.67 sets forth the Department's requirements for limiting and monitoring the off-site adverse effects of blasting operations; i.e., ground vibration, air blast and flyrock. The proposed amendment to subsection (c)(1) changes the cube root scaled distance from 500 to 350. A cube root scaled distance of 350 will provide adequate results from a regulatory stand point while reducing the burden to operators.

Section 1817.68 sets forth the Department's requirements for compiling and maintaining records, including seismograms and air blast recordings where required, of each production blast fired at the mine in the permit area. The Department proposes to delete the requirement to record wind velocity and direction given that these factors do not change air blast limits.

Section 1817.83 sets forth the Department's requirements regarding coal mine waste refuse piles. The proposed amendment to subsection (a)(3) corrects a typographical error in a regulation citation contained in this rule.

Section 1817.97 sets forth the Department's requirements concerning the protection of fish, wildlife, and related environmental values. The proposed amendments to subsections (b) and (e)(4) make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 817.97.

Section 1817.122 sets forth the Department's requirements regarding notification to all owners and occupants of surface property and structures above underground mine workings. The proposed amendments to Section 1817.122 specifically require operators to maintain copies of all public notices mailed pursuant to Section 1817.122 and to make such copies available for inspection by authorized agents of the Department.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

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TITLE 62: MINING
CHAPTER I: DEPARTMENT OF MINES AND MINERALS
PART 1817
PERMANENT PROGRAM PERFORMANCE STANDARDS—
UNDERGROUND MINING OPERATIONS

- 10) Statement of Statewide Policy Objectives:
The proposed requirements will have no impact on local units of government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Written comments regarding this proposal should be sent to:
John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137
Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.
Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.
The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.
- 12) Initial Regulatory Flexibility Analysis:
This rulemaking does not affect small businesses.
The full text of the Proposed Amendments begins on the next page:

Section 1817.11 1817.13 1817.14 1817.15 1817.21 1817.22 1817.23 1817.24 1817.25 1817.41 1817.42 1817.43 1817.44 1817.45 1817.46 1817.47 1817.48 1817.49 1817.50 1817.52 1817.53 1817.55 1817.56 1817.57 1817.59 1817.61 1817.62 1817.64 1817.65 1817.66 1817.67 1817.68 1817.71 1817.72 1817.73	Signs and Markers Casing and Sealing of Exposed Underground Openings: General Requirements Casing and Sealing of Underground Openings: Temporary Topsoil: General Requirements (Repealed) Topsoil and Subsoil Topsoil: Storage (Repealed) Topsoil: Redistribution (Repealed) Topsoil: Nutrients and Soil Amendments (Repealed) Hydrologic Balance: Water Quality Standards and Effluent Limitations Diversions Hydrologic Balance: Stream Channel Diversions (Repealed) Hydrologic Balance: Sediment Control Measures Hydrologic Balance: Siltation Structures Hydrologic Balance: Discharge Structures Hydrologic Balance: Acid-Forming and Toxic-Forming Materials (Repealed) Impoundments Hydrologic Balance: Underground Mine Entry and Access Discharges (Repealed) Hydrologic Balance: Surface and Ground Water Monitoring (Repealed) Hydrologic Balance: Transfer of Wells (Repealed) Hydrologic Balance: Discharge of Water Into an Underground Mine (Repealed) Post-Mining Rehabilitation of Sedimentation Ponds, Diversions, Impoundments and Treatment Facilities Hydrologic Balance: Stream Buffer Zones Coal Recovery Use of Explosives: General Requirements Use of Explosives: Pre-Blasting Survey Use of Explosives: General Performance Standards Use of Explosives: Surface Blasting Requirements (Repealed) Use of Explosives: Blasting Signs, Warnings, and Access Control Use of Explosives: Control of Adverse Effects Use of Explosives: Records of Blasting Operations Disposal of Excess Spoil: General Requirements Disposal of Excess Spoil: Valley Fills/Head-of-Hollow Fills Disposal of Underground Development Waste and Excess Spoil:
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- Head-of-Hollow Fills (Repealed)
 Disposal of Excess Spoil: Durable Rock Fills
 Disposal of Excess Spoil: Preexisting Benches
 Coal Mine Waste: General Requirements
 Coal Processing Waste Banks: Site Inspection (Repealed)
 Coal Mine Waste: Refuse Piles
 Coal Mine Waste: Impounding Structures
 Coal Processing Waste Banks: Construction Requirements (Repealed)
 Coal Processing Waste: Burning (Repealed)
 Coal Mine Waste: Burning and Burned Waste Utilization
 Coal Processing Waste: Return to Underground Workings (Repealed)
 Disposal of Noncoal Mine Wastes
 Coal Processing Waste: Dams and Embankments: General Requirements (Repealed)
 Coal Processing Waste: Dams and Embankments: Site Preparation (Repealed)
 Coal Processing Waste: Dams and Embankments: Design and Construction (Repealed)
 Coal Processing Waste: Time Requirement for Completion of Covering (Repealed)
 Stabilization of Surface Areas
 Protection of Fish, Wildlife and Related Environmental Values
 Slides and Other Damage
 Contemporaneous Reclamation and Subsidence Control
 Backfilling and Grading: General Requirements
 Backfilling and Grading: General Grading Requirements
 Backfilling and Grading: Covering Coal and Acid- and Toxic-forming Materials (Repealed)
 Backfilling and Grading: Previously Mined Areas
 Backfilling and Grading: Steep Slopes
 Revegetation: General Requirements
 Revegetation: Use of Introduced Species (Repealed)
 Revegetation: Timing
 Revegetation: Mulching and Other Soil Stabilization Practices
 Revegetation: Grazing (Repealed)
 Revegetation: Standards for Success
 Revegetation: Tree and Shrub Stocking for Forest Land
 Subsidence Control
 Subsidence Control: Public Notice
 Subsidence Control: Surface Owner Protections (Repealed)
 Subsidence Control: Buffer Zones (Repealed)
 Cessation of Operations: Temporary
 Cessation of Operations: Permanent
 Post-Mining Land Capability
 Roads
 Utility Installations
 Support Facilities
 Minor Underground Mine Facilities Not at or Adjacent to the

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Processing or Preparation Facility or Area
1817.190 Affected Acreage Map

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; amended at 6 Ill. Reg. 15024, effective December 30, 1982; codified at 8 Ill. Reg. 8230; amended at 9 Ill. Reg. 13315, effective October 10, 1985; amended at 10 Ill. Reg. 9606, effective July 1, 1986; amended at 11 Ill. Reg. 8250, effective July 1, 1987; amended at 11 Ill. Reg. _____, effective _____, 1990.

Section 1817.49 Impoundments

a) The requirements of this subsection apply to both temporary and permanent impoundments.

1) Impoundments meeting the size and other qualifying criteria of 30 CFR 77.216(a) shall comply with the requirements of 30 CFR 77.216 and this Section. The plan required to be submitted to the District Manager of the Mine Safety and Health Administration (MSHA) under 30 CFR 77.216 shall also be submitted to the Department as part of the permit application, insofar as the MSHA informational design standard requirements are duplicative of the requirements of 62 Ill. Adm. Code 1784. In addition, the operator shall submit to the Department any certification issued by MSHA with respect to the design plan.

2) The design of impoundments shall be sealed in accordance with 62 Ill. Adm. Code 1784.16(a) as designed to meet the requirements of this Part using current, prudent engineering practices. The qualified registered professional engineer shall be experienced in the design and construction of impoundments.

3) Impoundments shall have a minimum static safety factor of 1.5 for the normal pool with steady seepage saturation conditions, and a seismic safety factor of at least 1.4.

4) Impoundments shall have adequate freeboard to resist overtopping by waves and by sudden decreases in storage volume.

5) Foundations.

A) Foundations and abutments for the impounding structure shall be designed to be stable under all conditions of

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construction and operation of the impoundment. Sufficient foundation investigations and laboratory testing shall be performed in order to determine the design requirements for foundation stability.

- B) All vegetative and organic materials shall be removed and foundations excavated and prepared to resist failure. Cutoff trenches shall be installed if necessary to ensure stability.

- 6) Slope protection shall be provided to protect against surface erosion at the site and protect against sudden drawdown.

- 7) Faces of embankments and surrounding areas shall be vegetated, except that faces where water is impounded may be riprapped or otherwise stabilized in accordance with accepted design practices.

- 8) Impoundments shall include a combination of principal and emergency spillways which shall be designed and constructed to safely pass the design precipitation event specified in subsection (b) or (c).

- 9) Inspections. A qualified registered professional engineer or other qualified professional specialist, under the direction of the professional engineer, shall inspect the impoundment. The professional engineer or specialist shall be experienced in the construction of impoundments, as evidenced by the placement of a registered professional engineer's seal on the inspection report.

- A) Inspections shall be made regularly during construction upon completion of construction and at least yearly until removal of the structure or release of the performance bond. Impoundments meeting the size or other criteria of 30 CFR 77.216(a) shall be inspected, examined and certified in accordance with 30 CFR 77.216. Annual status reports required under 30 CFR 77.216-4 shall be submitted to the Department within 30 days after the reporting period.

- B) All other impoundments shall be inspected at least quarterly during construction and upon completion of construction. The qualified registered professional engineer shall submit to the Department promptly, within thirty (30) days after each inspection, provide to the Department a sealed report that the impoundment has been constructed as designed and maintained as designed and in

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accordance with the approved plan and these regulations. The report shall include discussion of any appearance of instability, structural weakness or other hazardous condition, depth and elevation of any impounded water, existing storage capacity, any existing or required monitoring procedures and instrumentation, and any other aspects of the structure affecting stability.

- C) A copy of the reports required in subsections (a) (9) (A) and (B) above, and the examination reports required in subsection (a)(10) below, shall be retained at or near the mine site. The Department may approve reports being retained at a different location if there is no permanent mine office.

- 10) Impoundments which do not meet the size or other qualifying criteria of 30 CFR 77.216(a) shall be examined in accordance with 30 CFR 77.216. Other impoundments shall be examined at least quarterly by a qualified person designated by the permittee for appearances of instability, structural weakness or other hazardous conditions. At least one of the quarterly examinations conducted during the calendar year shall be sealed by a qualified registered professional engineer and shall include a discussion of any appearance of instability, structural weakness or other hazardous conditions, and any other aspects of the structure affecting stability. This examination shall be conducted during the period of October 1 through December 31 of each calendar year. The sealed examination report shall be submitted to the Department within 30 days of the examination. Impoundment examinations shall be conducted until the impoundment has been removed or until final bond release. If the operator can demonstrate that failure of the structure would not create a potential threat to public health and safety or threaten significant environmental harm, the following impoundments shall be exempt from the examination requirements of this subsection:

- A) Impoundments that are completely incised;

- B) Water impounding structures that impound water to an elevation less than five (5) feet above the upstream toe of the structure and that can have a storage volume of not more than twenty (20) acre/feet; and

- C) Impoundments that do not facilitate mining or reclamation.

- 11) If any examination or inspection discloses that a potential

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hazard exists, the person who examined the impoundment shall promptly inform the Department of the finding and of the emergency procedures formulated for public protection and remedial action. If adequate procedures cannot be formulated or implemented, the Department shall be notified immediately. The Department shall then notify the appropriate agencies that other emergency procedures are required to protect the public.

- b) Permanent impoundments. A permanent impoundment of water may be created, if authorized by the Department in the approved permit, based upon the following demonstration:

- 1) The size and configuration of the impoundment is adequate for its intended purposes;
- 2) The quality of impounded water will be suitable on a permanent basis for its intended use and, after reclamation, will meet water quality standards set forth in Section 1817.42, and discharges from the impoundment will meet applicable effluent limitations and will not degrade the quality of receiving water below water quality standards set forth in Section 1817.42;
- 3) The water level will be sufficiently stable and be capable of supporting the intended use;
- 4) Final grading will provide for adequate safety and access for proposed water users;
- 5) The impoundment will not result in the diminution of the quality and quantity of water utilized by adjacent or surrounding landowners for agricultural, industrial, recreational, or domestic uses;
- 6) The impoundment will be suitable for the approved post-mining land use;
- 7) The impoundment perimeter slopes shall be consistent with the intended use of the impoundment, not be steeper than the angle of repose and comply with subsection (a)(3). Where surface runoff enters the impoundment area, the side slope shall be protected against erosion.
 - A) Runoff from above the slope shall be diverted to erosion free outlets.
 - B) Grading of slopes shall be scheduled to be completed at the onset of the most favorable seeding period.

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- 8) Embankment ponds, those having embankment heights of three (3) feet or greater above natural ground elevation, shall have outcrops of 1v:2h or less and interior slopes to the normal pool elevation of 1v:2h or less.
- 9) Permanent impoundments ~~not meeting the size or other qualifying criteria of 30 CFR 77.216(a)~~ shall be provided with a spillway that will safely discharge a ~~forty~~ twenty-five (25) year, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors, such as terrain, topography and soil type. Permanent impoundments meeting the size or other criteria of Section 77.216(a) shall be provided with a spillway that will safely discharge a one hundred (100) year, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors such as terrain, topography and soil type.

c) Temporary impoundments.

Temporary impoundments ~~not meeting the size or other qualifying criteria of 30 CFR 77.216(a)~~ shall be provided with a spillway that will safely discharge a twenty-five (25) year, six (6) hour precipitation event or such larger event as may be required by the Department based on factors, such as terrain, topography and soil type. Temporary impoundments meeting the size or other criteria of Section 77.216(a) shall be provided with a spillway that will safely discharge a one hundred (100) year, six (6) hour precipitation event, or such larger event as may be specified by the Department based on factors such as terrain, topography and soil type.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.61 Use of Explosives: General Requirements

- a) Sections 1817.61 through 1817.68 apply only to surface blasting activities incident to underground mining, including, but not limited to, initial rounds of slopes and shafts.
- b) Each person who conducts surface mining activities shall comply with all applicable State and Federal laws in the use of explosives.
- c) All blasting operations shall be conducted by persons certified by the Department in accordance with 62 Ill. Adm. Code 1850.
- d) 62 Ill. Adm. Code 1817.62 through 1817.66(b) and 1817.68 apply only to blasting operations that consist of blasts that use more than 25 pounds of explosives or blasting agents.

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e4) Blast design.

- 1) An anticipated blast design shall be submitted if blasting operations will be conducted within:

A) One thousand (1,000) feet of any building used as a dwelling, public building, school, church, or community or institutional building outside the permit area; or

B) Five hundred (500) feet of an active or abandoned underground mine.

- 2) The blast design may be presented as part of the permit application or at a time, before the blast, approved by the Department.

- 3) The blast design shall contain sketches of the drill patterns, delay periods, and decking and shall indicate the type and amount of explosives to be used, critical dimensions, and the location and general description of structures to be protected, as well as a discussion of design factors to be used, which protect the public and meet the applicable air blast, flyrock, and ground vibration standards in Section 1817.67.

- 4) The blast design shall be prepared and signed by a certified blaster.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.64 Use of Explosives: General Performance Standards

- a) The operator shall notify, in writing, residents within one-half (1/2) mile of the blasting site, the Department, and local governments of the proposed times and locations of blasting operations. Such notice of times that blasting is to be conducted may be announced weekly, but in no case less than twenty four (24) hours before blasting will occur.
- b) Unscheduled blasting may be conducted only where public or operator health and safety so require. When an operator conducts an unscheduled blast, the operator, using audible warning signals, shall notify residents within one-half (1/2) mile of the blasting site and document the reason(s) for the unscheduled blast in accordance subsection 1817.68(a)(17).
- c) All blasting shall be conducted between sunrise and sunset. The Department shall limit the area covered, timing and sequence of blasting as listed in the schedule, if such limitations are

necessary and reasonable in order to protect public health, safety or welfare.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.66 Use of Explosives: Blasting Signs, Warnings, and Access Control

- a) Blasting signs shall meet the specifications of Section 1817.11. The operator shall:

1) Conspicuously display signs reading "Blasting Area Site" along the edge of any blasting area site that comes within one hundred (100) feet of any public road right-of-way, and at the point where any other road provides access to the blasting area site; and

2) At all entrances to the permit area from public roads or highways, place conspicuous signs which state "Warning! Explosives in Use" and which clearly list and describe the meaning of the audible blast warning and all-clear signals that are in use, and which explain the marking of blasting areas sites and charged holes awaiting firing within the permit area.

- b) Warning and all-clear signals of different character or pattern that are audible within one-half (1/2) mile of the blast shall be given. Each person within the permit area and each person who resides or regularly works within one-half (1/2) mile of the permit area shall be notified of the meaning of the signals in the blasting schedule. The requirement to supply daily notice may be fulfilled by the audible warning signals.

- c) Access to the blasting area site shall be controlled to prevent the presence of livestock or unauthorized personnel during blasting and until an authorized representative of the person who conducts the surface mining activities has reasonably determined:

- 1) That no unusual circumstances, such as imminent slides or undetonated charges, exist; and
- 2) That access to and travel in or through the area site can be safely resumed.

- d) 1) Blasting shall not be conducted within three hundred (300) feet of any building used as a dwelling unless waived by the owner or within three hundred (300) feet of a school, church, hospital, or nursing facility.

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- 2) Blasting shall not be conducted within one hundred (100) feet of facilities including, but not limited to, disposal wells, petroleum or gas storage facilities, municipal water storage facilities, fluid-transmission pipelines, or water and sewage lines.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.67 Use of Explosives: Control of Adverse Effects

- a) Blasting shall be conducted to prevent injury to persons, damage to public or private property outside the permit area, adverse impacts on any underground mine, and change in the course, channel or availability of ground or surface waters outside the permit area.

- b) 1) A) Air blast shall be controlled so that it does not exceed the values specified below at any dwelling, public building, school, church, or commercial or institutional structure, unless such structure is owned by the person who conducts the surface mining activities and is not leased to any other person. If a building owned by the person conducting surface mining activities is leased to another person, the lessee may sign a waiver relieving the operator from meeting the air blast limitations of this subsection. The waiver shall be submitted to the Department before beginning blasting.

	Lower frequency limit of measuring system, Hz ± 3 dB	Maximum level in dB
0.1 Hz or lower--flat response	1	134 peak
2.0 Hz or lower--flat response		133 peak
6.0 Hz or lower--flat response		129 peak
Only when approved by the Department		

- B) The measuring systems used shall have a flat frequency response of at least two hundred (200) Hz at the upper end.

- 2) The person who conducts blasting may satisfy the provisions of subsection (b) by meeting any of the three (3) specifications in the chart in subsection (b)(1).

- 3) If necessary to prevent damages specified in subsection (a), the Department shall specify lower maximum allowable airblast levels than those of subsection (b)(1) for use in the vicinity

of a specific blasting operation.

- c) 1) When the cube root scaled distance, as defined in subsection (c)(2), to the nearest dwelling, public building, school, church, or commercial or institutional structure has a value less than 500 350 and when
- A) The burden to hole depth ratio is greater than 1.0, or
- B) The top stemming height is less than seventy percent (70%) of the burden dimension,
- the air blast produced by that blast shall be measured, recorded, analyzed, and reported pursuant to subsection (h) and Section 1817.68(b).

- 2) Cube root scaled distance equals the distance, in feet, from the blast to a specified location divided by the cube root of the maximum weight of explosives, in pounds, to be detonated in any eight (8) millisecond period.

- 3) To ensure compliance with the limits contained in this Section, the Department may require an air blast measurement of any or all blasts, and may specify the location of such measurements.

- d) Flyrock, including blasted material traveling in the air, or along the ground, shall not be cast beyond the permit boundaries or beyond the area of regulated access required under Section 1817.66(c), or more than one-half the distance to the nearest dwelling or other occupied structure.

- e) In all blasting operations, except as otherwise authorized in this Section, the maximum peak particle velocity shall not exceed one (1) inch per second at the location of any dwelling, public building, school, church, or commercial or institutional building. At distances greater than five thousand (5,000) feet from the blast to any structures described in this subsection, the maximum allowable peak particle velocity shall not exceed 0.75 inch per second at the locations of the structures described in this subsection. At distances less than three hundred (300) feet from the blast to any structures described in this subsection, the maximum allowable peak particle velocity shall not exceed 1.25 inch per second at the locations of the structures described in this subsection. These limits shall apply separately to each component of motion as defined in Section 1817.67(h). The Department shall reduce peak particle velocity limits if determined necessary to provide damage protection if so recommended in any pre-blast survey or condition survey report

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provided pursuant to Section 1817.62.

- f) If blasting is conducted to prevent adverse impacts on any underground mine and changes in the course, channel, or availability of ground or surface water outside the permit area, then the maximum peak particle velocity limitation of subsection (d) shall not apply at the following locations:

- 1) At structures owned by the person conducting the mining activity, and not leased to another party;
- 2) At structures owned by the person conducting the mining activity, and leased to another party, if a written waiver by the lessee is submitted to the Department prior to blasting.

- g) When the scaled distance, as defined below, has a value of less than sixty (60) at the nearest dwelling, public building, school, church, or commercial or institutional structure, a seismograph recording shall be made at or near the closest structure requiring protection.

- 1) Scaled Distance = The distance, in feet, from the blast to a specified location divided by the square root of the maximum weight of explosives, in pounds, to be detonated in any eight (8) millisecond period.

- 2) To ensure compliance with the limits contained in this Section, the Department may require a seismograph recording of any or all blasts and may specify the location at which such recordings are made.

- h) As used herein, seismograph recording or record or air blast recording or record shall mean a visually inspectable cartesian representation of the time history of the particle velocity levels or air blast levels versus time. Time is represented on the "x" axis. The particle velocity is shown by three traces representing mutually perpendicular components of motion. The components are oriented vertically, transversely, and longitudinally to the horizontal direction from the recording location to the location of the blast. The air blast time history is represented by a single trace. The record or recording includes either an analog representation of, or a written description of the vertical scale for the particle velocity traces and the air blast trace. The units for the particle velocity traces and scale are in inches per second. The units for the air blast trace and scale are millibars, pounds per square inch, or decibels. The recording also includes an analog or descriptive time scale. The time units are in seconds.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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Section 1817.68 Use of Explosives: Records of Blasting Operations

- a) A record of each blast, including seismograph reports, shall be retained by the operator for at least three (3) years and shall be available for inspection by the Department and the public on request. The record is to be completed by the end of the work day following the day in which the blast occurred, including the seismograph meter reading, if available, and shall contain the following data:

- 1) Name of the operator conducting the blast;
- 2) Location, date, and time of blast;
- 3) Name, signature, and certification number of the blaster conducting the blast;
- 4) The name of the owner or resident of, and the direction and distance, in feet, to the nearest dwelling, school, church, or commercial, or institutional building either:
 - A) Not located in the permit area; or
 - B) Not owned by the person who conducts the surface mining activities;
- 5) Type of material blasted;
- 6) Number of holes, burden, and spacing;
- 7) Diameter and depth of holes;
- 8) Types of explosives used;
- 9) Total weight of explosives used;
- 10) Weight of explosives used per hole;
- 11) Maximum weight of explosives detonated within any eight (8) millisecond period;
- 12) Maximum number of holes or decks detonated within any eight (8) millisecond period;
- 13) Initiation system;
- 14) Type and length of stemming;

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- 15) Type of delay detonator and delay periods used;
- 16) Sketch of the delay pattern, including decking and and.
- 17) Reasons and conditions for each unscheduled blast; and.
- 18) ~~Wind velocity and direction~~
- b) Air blast and/or ground vibration recordings, or photographic copies thereof, where required, shall be kept at the mine site office for a period of three (3) years following the date of the blast, and shall be available for inspection by the Department and the public on request. The recordings shall include the following:
 - 1) Maximum air blast and/or ground vibration levels recorded;
 - 2) The exact location of the monitoring equipment, and its distance from the blast, and the date and time of the recording;
 - 3) Name of the person and firm making the recording;
 - 4) Name of the person and firm analyzing the recording. The recording shall be signed and dated by the person performing the analysis; and
 - 5) The type of instrument, sensitivity, and calibration signal or certification of annual calibration. When the recordings required at Sections 1817.67(c) and 1817.67(g) are produced via digitized systems, the sampling rate of the digitizer, in samples per second, shall be stated.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.83 Coal Mine Waste: Refuse Piles

Refuse piles shall meet the requirements of Section 1817.81, the additional requirements of this Section, and the requirements of 30 CFR 77.214 and 77.215 (1986). 30 CFR 77.214 and 77.215 (1986) do not include any later amendments or editions.

a) Drainage control.

- 1) If the disposal area contains springs, natural or man-made water courses, or wet weather seeps, the design shall include diversions and underdrains as necessary to control erosion, prevent water infiltration into the disposal facility and

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ensure stability.

- 2) Uncontrolled surface drainage may not be diverted over the outslope of the refuse pile. Runoff from the areas above the refuse pile and runoff from the surface of the refuse pile shall be diverted into stabilized diversion channels designed to meet the requirements of Section 1817.43 to safely pass the runoff from a one hundred (100) year, six (6) hour precipitation event. Runoff diverted from undisturbed areas need not be commingled with runoff from the surface of the refuse pile.
- 3) Underdrains shall comply with the requirements of Section 1817.71(4)(1)(2).
- b) Surface area stabilization. Slope protection shall be provided to minimize erosion at the site. All disturbed areas, including diversion channels that are not ripped or otherwise protected from erosion, shall be revegetated upon completion of construction.
- c) Placement.
 - 1) All vegetative and organic materials shall be removed from the disposal area prior to placement of coal mine waste. Topsoil shall be removed, segregated and stored or redistributed in accordance with Section 1817.22. If approved by the Department, organic material may be used as mulch, or may be included in the topsoil to control erosion, promote growth of vegetation or increase the moisture retention of the soil.
 - 2) The final configuration of the refuse pile shall be suitable for the approved post-mining land use. Terraces may be constructed on the outslope of the refuse pile if required for stability, erosion control, conservation of soil moisture, or facilitation of the approved post-mining land use. The grade of the outslope between terrace benches shall not be steeper than 2h:1v (fifty (50) percent).
 - 3) No permanent impoundments shall be allowed on the completed refuse pile. Small depressions may be allowed by the Department if they are needed to retain moisture, minimize erosion, create and enhance wildlife habitat, or assist revegetation, and if they are not incompatible with stability of the refuse pile.
 - 4) Following final grading of the refuse pile, the coal mine waste shall be covered with a minimum of four (4) feet of the best available nontoxic and noncombustible material, in a manner

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that does not impede drainage from the underdrains. The Department may allow less than four (4) feet of cover material based on physical and chemical analyses which show that the requirements of Sections 1817.111 through 1817.116 will be met.

- d) Inspections. A qualified registered professional engineer, or other qualified professional specialist under the direction of the professional engineer, shall inspect the refuse pile during construction. The professional engineer or specialist shall be experienced in the construction of similar earth and waste structures.

- 1) Such inspections shall be made at least quarterly throughout construction and during critical construction periods. Critical construction periods shall include at a minimum:

- A) Foundation preparation including the removal of all organic material and topsoil;
- B) Placement of underdrains and protective filter systems;
- C) Installation of final surface drainage systems; and
- D) The final graded and revegetated facility.

- E) Regular inspections by the engineer or specialist shall also be conducted during placement and compaction of coal mine waste materials. More frequent inspections shall be conducted if a danger or harm exists to the public health and safety or the environment. Inspections shall continue until the refuse pile has been finally graded and revegetated.

- 2) The qualified registered professional engineer shall provide a sealed report to the Department promptly after each inspection that the refuse pile has been constructed and maintained as designed and in accordance with the approved plan and 62 Ill. Adm. Code 1700 through 1850. The report shall include appearances of instability, structural weakness, and other hazardous conditions.

- 3) The sealed report on the drainage system and protective filters shall include color photographs taken during and after construction, but before underdrains are covered with coal mine waste. If the underdrain system is constructed in phases, each phase shall be sealed separately. The photographs accompanying each sealed report shall be taken in adequate size and number with enough terrain or other physical features of the site

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shown to provide a relative scale to the photographs and to specifically and clearly identify the site.

- 4) A copy of each inspection report shall be retained at or near the minesite.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1817.97 Protection of Fish, Wildlife and Related Environmental Values

- a) The operator shall, to the extent possible using the best technology currently available, minimize disturbances and adverse impacts of the activities on fish, wildlife, and related environmental values, and shall achieve enhancement of such resources where practicable.

- b) No underground mining activity shall be conducted which ~~will~~ is likely to jeopardize the continued existence of endangered or threatened species listed by the Secretary of the United States Department of the Interior (Secretary) or which ~~will~~ is likely to result in the destruction or adverse modification of designated critical habitats of such species in violation of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.). The operator shall immediately report to the Department any State- or federally-listed endangered or threatened species within the permit area of which the operator becomes aware. Upon notification, the Department shall consult with appropriate State and Federal fish and wildlife agencies and, after consultation, shall identify whether, and under what conditions, the operator may proceed.

- c) No underground mining activity shall be conducted in a manner which would result in the unlawful taking of a bald or golden eagle, its nest, or any of its eggs. The operator shall promptly report to the Department any golden or bald eagle nest within the permit area of which the operator becomes aware. Upon notification, the Department shall consult with the U.S. Fish and Wildlife Service and also, where appropriate, the State fish and wildlife agency and after consultation, shall identify whether, and under what conditions, the operator may proceed in order to ensure that the operation is not in violation of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.).

- d) Nothing in these regulations shall authorize the taking of an endangered or threatened species or a bald or golden eagle, its nest, or any of its eggs in violation of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.), or the Bald Eagle Protection Act, as amended, (16 U.S.C. 668 et seq.).

- e) Each operator shall, to the extent possible using the best

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technology currently available:

- 1) Ensure that electric powerlines and other transmission facilities used for, or incidental to, underground mining activities on the permit area are designed and constructed to minimize electrocution hazards to raptors, except where the Department determines that such requirements are unnecessary due to factors, such as the absence of raptors;
- 2) Locate and operate haul and access roads so as to avoid or minimize impacts on important fish and wildlife species or other species protected by State or Federal law specified in 62 Ill. Adm. Code 1773.12; and
- 3) Design fences, overland conveyers, and other potential barriers to permit passage for large mammals, except where the Department determines that such requirements are unnecessary due to factors, such as the absence of large mammals; and
- 4) Fence, cover, or use other appropriate methods to exclude wildlife from ponds which contain hazardous concentrations of toxic-forming materials.

f) The operator conducting underground mining activities shall avoid disturbances to, enhance where practicable, restore, or replace, wetlands, and riparian vegetation along rivers and streams and bordering ponds and lakes. Underground mining activities shall avoid disturbances to, enhance where practicable, or restore, habitats of unusually high value for fish and wildlife such as wetlands and riparian vegetation.

g) Where fish and wildlife habitat is to be a post-mining land use, the plant species to be used on reclaimed areas shall be selected on the basis of the following criteria:

- 1) Their proven nutritional value for fish or wildlife.
- 2) Their use as cover for fish or wildlife.
- 3) Their ability to support and enhance fish or wildlife habitat after the release of performance bonds. The selected plants shall be grouped and distributed in a manner which optimizes edge effect, cover, and other benefits to fish and wildlife.

h) Where cropland is to be the post-mining land use, where appropriate for wildlife and crop management practices, the operator shall intersperse the fields with trees, hedges, or fence rows throughout the harvested area to break up large blocks of monoculture and to

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diversify habitat types for birds and other animals.

- i) Where residential, public service, or industrial uses are to be the post-mining land use, and where consistent with the approved post-mining land use, the operator shall intersperse reclaimed lands with greenbelts utilizing species of grass, shrubs, and trees useful as food and cover for wildlife.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1817.122 Subsidence Control: Public Notice

At least six (6) months prior to mining, or within that period if approved by the Department, the underground mine operator shall mail a notification to all owners and occupants of surface property and structures above the underground workings. The notification shall include, at a minimum, identification of specific areas in which mining will take place, dates that specific areas will be undermined, the type of mining to be employed, a description of measures that will be taken to prevent subsidence and/or to mitigate subsidence damages which may occur, and the location or locations where the operator's subsidence control plan may be examined. The operator shall maintain copies of all of the public notices mailed pursuant to this Section and shall make such copies available for inspection by authorized agents of the Department.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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- 1) Heading of the Part: Permit Applications — Minimum Requirements for Legal, Financial, Compliance, and Related Information

- 2) Code Citation: 62 Ill. Adm. Code 1778

- 3) Section Number: Proposed Action

1778.13 Amended
1778.14 Amended

- 4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:

On May 11, 1989, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17. The following discussion describes the Department's proposed amendments to Part 1778 in response to this OSMRE directive:

Section 1778.13 sets forth the Department's requirements for the identification of interests in permit applications. The proposed amendment to subsection (b) expands the information requirements for permit applications to include the person who will pay the abandoned mine land reclamation fees. The proposed amendments to subsections (c) and (d) expands this Section's informational requirements to include persons who own or control the applicant, as defined in proposed 62 Ill. Adm. Code 1773.5. Proposed new subsection (4) requires the applicant to update the identification of interests section of the permit application after Departmental approval, if necessary. Proposed new subsection (j) requires the applicant to submit all identification of interests and violation and compliance information in a prescribed format. The proposed amendments to Section 1778.13 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 778.13.

Section 1778.14 sets forth the Department's requirements for violation information in the permit application. The proposed amendments to subsection (c) adds language requiring that each permit application include a list of all unabated cessation orders and unabated air or water quality violation notices received prior to the date of the

application by any surface coal mining and reclamation operation owned or controlled by either the applicant or any person who owns or controls the applicant. Proposed new subsection (e) requires the applicant to update the compliance and violation section of the permit application after Departmental approval, if necessary. The proposed amendments of Section 1778.14 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 778.14.

- 6) Will this proposed rule replace an emergency rule currently in effect?

No.

- 7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

- 8) Does this proposed amendment contain incorporations by reference?

No.

- 9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant

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to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1778

PERMIT APPLICATIONS--MINIMUM REQUIREMENTS

FOR LEGAL, FINANCIAL, COMPLIANCE, AND RELATED INFORMATION

Section	
1778.4	Responsibility (Repealed)
1778.11	Applicability (Repealed)
1778.13	Identification of Interests
1778.14	Violation Information
1778.15	Right of Entry Information
1778.16	Relationship to Areas Designated Unsuitable for Mining
1778.17	Permit Term
1778.18	Insurance
1778.20	Identification of Location of Public Office for Filing of Application (Repealed)
1778.21	Proof of Publication
1778.22	Facilities or Structures Used in Common

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 9348; amended at 11 Ill. Reg. 8368, effective July 1, 1987; amended at 11 Ill. Reg. _____, effective _____, 1990.

Section 1778.13 Identification of Interests

An application to conduct surface coal mining and reclamation operations shall contain the following information, except that the submission of a social security number is voluntary:

- a) A statement as to whether the applicant is a corporation, partnership, single proprietorship, association, or other business entity.
- b) Names, addresses, and telephone numbers and, as applicable, social security and employer identification number of the applicant, the operator (if different from the applicant), the person who will pay the abandoned mine land reclamation fee, and the applicant's resident agent who will accept service of process.
- c) For applicants other than single proprietorship, where applicable:

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For each person who owns or controls the applicant under the definition of "owned or controlled" and "owns or controls" in 62 Ill. Adm. Code 1773.5, as applicable.

- 1) Name and address of each officer, partner, principal, shareholder, and director or other person performing a function similar to a director.

The person's name, address, social security number and employer identification number.

- 2) All names under which the applicant, partner, or principal shareholder operates or previously operated a surface coal mining and reclamation operation in the United States within the five (5) years preceding the date of the application.

The person's ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure.

- 3) The title of the person's position, date position was assumed, and when submitted under 62 Ill. Adm. Code 1773.17(h), date of departure from the position.

- 4) Each additional name and identifying number, including employer identification number, Federal or State permit number, and MSHA number with date of issuance, under which the person owns or controls, or previously owned or controlled, a surface coal mining and reclamation operation in the United States within the five (5) years preceding the date of the application; and

- 5) The application number or other identifier of, and the regulatory authority for, any other pending surface coal mining operation permit application filed by the person in any State in the United States.

- d) A statement of any pending surface coal mining and reclamation operation permit applications in the United States, and of all current and previous coal mining permits in the United States held during the five (5) years preceding the date of the application by any person identified in subsection (c)(2). Such statement shall provide permit or application numbers of other identifiers and the identity of the State regulatory authority for each operation listed.

For any surface coal mining operation owned or controlled by either the applicant or by any person who owns or controls the applicant under the definition of "owned or controlled" and "owns or controls"

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in 62 Ill. Adm. Code 1773.5, the operation's:

- 1) Name, address, identifying numbers, including employer identification number, Federal or State permit number and MSHA number, the date of issuance of the MSHA number, and the regulatory authority; and
- 2) Ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure.

- e) The name and address of each legal or equitable owner of record of the surface and mineral property to be mined, each holder of record of any leasehold interest in the property to be mined, and any purchaser of record under a real estate contract for the property to be mined.

- f) The name and address of each owner of record of all property (surface and subsurface) contiguous to any part of the proposed permit area.

- g) The Mine Safety and Health Administration (MSHA) numbers for all mine-associated structures that require MSHA approval, pursuant to 30 CFR 77(1986).

- h) A statement of all lands, interest in lands, options, or pending bids on interests held or made by the applicant for lands contiguous to the area described in the permit application. If requested by the applicant, any information required by this section which is not on public file pursuant to State law shall be held in confidence by the Department, as provided under 62 Ill. Adm. Code 1773.13(d)(3)(B).

- i) After an applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under subsections (a) through (d).

- j) The applicant shall submit the information required by Sections 1778.13 and 1778.14 in any format prescribed and issued by the Department.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1778.14 Violation Information

An application shall contain the following:

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a) A statement of whether the applicant, any subsidiary, affiliate, or persons controlled by or under common control with the applicant has:

1) Had a Federal or State coal mining permit suspended or revoked in the last five (5) years preceding the date of submission of the application; or

2) Forfeited a performance bond or similar security deposited in lieu of bond.

b) If any such suspension, revocation, or forfeiture has occurred, a statement of the facts involved, including:

1) Identification number and date of issuance of the permit and the date and amount of bond or similar security;

2) Identification of the authority that suspended or revoked a permit or forfeited a bond and the stated reasons for that action;

3) The current status of the permit, bond, or similar security involved;

4) The date, location, and type of any administrative or judicial proceedings initiated concerning the suspension, revocation, or forfeiture; and

5) The current status of these proceedings.

c) A listing of all violation notices received by the applicant or any subsidiary, affiliate, or persons controlled by or under common control with the applicant in connection with any surface coal mining and reclamation operation during the three (3) year period before the application date, for violations of any law, rule, or regulation of the United States or of any State law, rule, or regulation enacted pursuant to Federal law, rule, or regulation, or of any provision of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) (Act) pertaining to air or water environmental protection. The application shall also contain the following information about each violation notice:

For any violation of a provision of the Federal Act, or of any law, rule or regulation of the United States, or of any State law, rule or regulation pertaining to air or water environmental protection incurred in connection with any surface coal mining operation, a list of all violation notices received by the applicant during the

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three (3) year period preceding the application date, and a list of all unabated cessation orders and unabated air and water quality violation notices received prior to the date of the application by any surface coal mining and reclamation operation owned or controlled by either the applicant or by any person who owns or controls the applicant. For each violation notice or cessation order reported, the lists shall include the following information, as applicable:

1) The date of issuance and identity of the issuing Department, or agency;

Any identifying numbers for the operation, including the Federal or State permit number and MSHA number, the dates of issuance of the violation notice and MSHA number, the name of the person to whom the violation notice was issued, and the name of the issuing regulatory authority, department or agency;

2) A brief description of the violation alleged in the notice;

3) The date, location, and type of any administrative or judicial proceedings initiated concerning the violation, including, but not limited to, proceedings initiated by any person identified in subsection (c) to obtain administrative or judicial review of the violations;

4) The current status of the proceedings and of the violation notice; and

5) The actions, if any, taken by any person identified in subsection (c) to abate the violation.

d) Information about the applicant's present financial condition which would provide assurance to the Department that no further forfeiture would be expected.

e) After an applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under Section 1778.14.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

- 1) Heading of the Part: Requirements for Coal Exploration
- 2) Code Citation: 62 Ill. Adm. Code 1772
- 3) Section Number:

1772.12

Proposed Action
Amendment
- 4) Statutory Authority:
Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:
On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

The following discussion describes the Department's proposed amendments to Part 1772 in response to this OSMRE directive:
Section 1772.12 sets forth the permit requirements for exploration removing more than two hundred and fifty (250) tons of coal. The proposed amendments to Section 1772.12 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 772.12, by requiring the applicant to provide, at the Department's request, other information regarding known or unknown historic or archeological resources.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? Yes X No
If "Yes," please specify the date: _____

- 8) Does this proposed amendment contain incorporations by reference?
No.
- 9) Are there any other proposed amendments pending on this Part?
No.
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives:
The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Written comments regarding this proposal should be sent to:
John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137
Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.
The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

- 12) Initial Regulatory Flexibility Analysis:
This rulemaking does not affect small businesses.
- The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING

CHAPTER 1: DEPARTMENT OF MINES AND MINERALS

PART 1772
REQUIREMENTS FOR COAL EXPLORATION

Section	Scope and Purpose
1772.1	Notice Requirements for Exploration Removing 250 Tons of Coal or Less
1772.11	Permit Requirements for Exploration Removing More Than 250 Tons of Coal
1772.12	Coal Exploration Compliance Duties
1772.13	Requirements for Commercial Sale
1772.14	Public Availability of Information
1772.15	

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 11 Ill. Reg. 8385, effective July 1, 1987; amended at 11 Ill. Reg. _____, effective _____, 1990.

Section 1772.12 Permit Requirements for Exploration Removing More Than 250 Tons of Coal

- a) Any person who intends to conduct coal exploration outside a permit area during which more than two hundred and fifty (250) tons of coal will be removed or which will take place on lands designated as unsuitable for surface mining under 62 Ill. Adm. Code 1761 through 1764 shall before conducting the exploration submit an application and obtain written approval from the Department in an exploration permit.

- b) Each application for an exploration permit shall contain, at a minimum, the following information:

- 1) The name, address, and telephone number of the applicant;
- 2) The name, address, and telephone number of the applicant's representative who will be present at, and be responsible for, conducting the exploration;
- 3) A narrative and map describing the proposed exploration area;
- 4) A narrative description of the methods and equipment to be used to conduct the exploration and reclamation;

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- 5) An estimated time table for conducting and completing each phase of the exploration and reclamation;
- 6) The estimated amount of coal to be removed and a description of the methods to be used to determine the amounts;

- 7) A statement of why extraction of more than two hundred and fifty (250) tons of coal is necessary for exploration;

- 8) A description of:
 - A) Cultural or historical resources listed on the National Register of Historic Places, and
 - B) Cultural or historical resources known to be eligible for listing on the National Register of Historic Places, and
 - C) Known archeological resources located within the proposed exploration area; and

- D) Any other information which the Department may require regarding known or unknown historic or archeological resources;

- 9) A description of any endangered or threatened species listed pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) identified within the proposed exploration area;

- 10) A description of the measures to be used to comply with the applicable requirements of 62 Ill. Adm. Code 1815;

- 11) The name and address of the owner of record of the surface land and of the subsurface mineral estate of the area to be explored;

- 12) A map or maps at a scale of 1:24,000 or larger, showing the areas of the proposed exploration and reclamation. The map shall specifically show existing roads, occupied dwellings, topographic and drainage features, bodies of surface water, and pipelines; proposed location of trenches, roads, and other access routes and structures to be constructed; the location of proposed land excavations; the location of exploration holes or other drill holes or underground openings; location of excavated earth or waste-material disposal areas; and the location of critical habitats of any endangered or threatened species listed pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

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- 13) If the surface is owned by a person other than the applicant, a description of the basis upon which the applicant claims the right to enter that land for the purpose of conducting exploration and reclamation.

Endangered Species Act of 1973 (16 U.S.C. 1533) or result in the destruction or adverse modification of critical habitat of those species as defined in Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532); and

- c) Public notice of the application and opportunity to comment shall be provided as follows:

- C) Not adversely affect any cultural or historic resources listed on the National Register of Historic Places, pursuant to the National Register of Historic Places, pursuant to the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq., 1976, Supp. V), unless the proposed exploration has been approved by the Department and the agency with jurisdiction over State Historic Preservation.

- 2) The public notice shall state the name and address of the person seeking approval, the date of filing of the application, the address of the Department where written comments on the application may be submitted, the closing date of the comment period, and a description of the general area of exploration. In no case shall the public comment period be less than thirty (30) days;

- 3) Terms of approval. Each approval issued by the Department shall contain conditions necessary to ensure that the exploration and reclamation will be conducted in compliance with the Act, this Part, 62 Ill. Adm. Code 1815, and the regulatory program.

- 3) Any person with an interest which is or may be adversely affected shall have the right to file written comments on the application within the specified public comment period.

- e) 1) The Department shall notify the applicant, the appropriate local government officials, and other commentators on the application in writing, of its decision on the application. If the application is disapproved, the notice to the applicant shall include a statement of the reason for disapproval. Public notice of the decision on each application shall be posted by the Department at a public office in the vicinity of the exploration operations.

- d) Decision on an application for exploration removing more than two hundred and fifty (250) tons of coal.

- 1) The Department shall act upon an administratively complete application for a coal exploration permit and any written comments within sixty (60) days after the close of the public comment period. The approval of a coal exploration permit may be based only on a complete and accurate application.

- 2) The Department shall approve a complete and accurate application for a coal exploration operation filed in accordance with this Part, if it finds, in writing, that the applicant has demonstrated that the exploration and reclamation described in the application will:

- A) Be conducted in accordance with the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)(Act), 62 Ill. Adm. Code 1815, this Part and the regulatory program;

- B) Not jeopardize the continued existence of an endangered or threatened species listed pursuant to Section 4 of the

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

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- 1) Heading of the Part: Requirements for Permits and Permit Processing
- 2) Code Citation: 62 Ill. Adm. Code 1773

<u>Section Number:</u>	<u>Proposed Action</u>
1773.5	New Section
1773.11	Amendment
1773.15	Amendment
1773.17	Amendment
1773.19	Amendment
1773.20	New Section
1773.21	New Section

- 4) Statutory Authority:
Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:
On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.
On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.
On May 11, 1989, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.
Finally, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under the Surface Mining Control and Reclamation Act of 1977.

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The following discussion describes the Department's proposed amendments to Part 1773 in response to these OSMRE directives and agency concerns:

Proposed new Section 1773.5 defines the phrases "owned or controlled" and "owns or controls" in accordance with the OSMRE counterpart rule, 30 CFR 773.5.

Section 1773.11 sets forth the Department's requirements for obtaining permits. The proposed amendments to Section 1773.11 serve to make the Department's rules consistent with the OSMRE counterpart regulation, 30 CFR 773.11, by restricting the permit renewal requirement to those operations actively conducting surface coal mining operations.

Section 1773.15 sets forth the Department's permit application review requirements. The proposed amendments to Section 1773.15 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 773.15.

Subsection (b) is amended to prohibit the issuance of permits to any person currently in violation of the Federal Act who owns or controls the permit applicant, in accordance with 30 CFR 773.15(b).

Subsection (c) is amended to include two (2) new permit findings and to delete a permit finding. First, the finding concerning cemeteries in subsection (c)(11) is being deleted since the language of this finding is inconsistent with the definition of cemeteries set forth in 62 Ill. Adm. Code 1701.Appendix A and because this finding is made redundant by the finding in subsection (c)(3)(B). Second, for a proposed reining operation where the applicant intends to reclaim the lesser standards applicable to reining, the Department must make a specific finding that the site of the operation is a previously mined area. Third, the Department must make a finding that it has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places.

Finally, the Department has proposed a new subsection (e), in accordance with 30 CFR 773.15(e). Subsection (e) would require the Department to reconsider any approved permit, prior to issuance, based on a review of any new violation and compliance information submitted pursuant to proposed new 62 Ill. Adm. Code 1778.13(i) and 1778.14(e).

Section 1773.17 sets forth the Department's required permit conditions. Proposed new subsection (h) adds a new permit condition, in accordance with 30 CFR 773.17(i). Subsection (h) would require that, in the absence of a legal stay, within thirty (30) days after

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P. O. Box 10137
Springfield, Illinois 62791-0137

Comments must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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issuance of a cessation order for operations conducted under the permit, the permittee must notify the Department of any changes that have occurred in the ownership and information submitted at the time of application or since submittal of the last update of this information.

Section 1773.19 sets forth the Department's requirements for permit issuance and right of renewal. The proposed amendment to subsection (a)(2) brings the Department's rules in conformance with Section 2.11(f) of the Surface Coal Mining Land Conservation and Reclamation Act. Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7902.11(f).

Proposed new Sections 1773.20 and 1773.21 outline the Department's procedures for identifying and rescinding improvidently issued permits. Sections 1773.20 and 1773.21 outline procedures consistent with the counterpart OSMRE rules, 30 CFR 773.20 and 773.21.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300

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TITLE 62: MINING

CHAPTER 1: DEPARTMENT OF MINES AND MINERALS

PART 1773

REQUIREMENTS FOR PERMITS AND PERMIT PROCESSING

Section

1773.1 Scope and Purpose

1773.5 Definitions

1773.11 Requirements to Obtain Permits

1773.12 Regulatory Coordination with Requirements under Other Laws

1773.13 Public Participation in Permit Processing

1773.14 Opportunity for Public Hearing

1773.15 Review of Permit Applications

1773.17 Permit Conditions

1773.19 Permit Issuance and Right of Renewal

1773.20 Improvidently Issued Permits: General Procedures

1773.21 Improvidently Issued Permits: Rescission Procedures

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 11 Ill. Reg. 8395, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1773.5 Definitions

For purposes of Part 1773, owned or controlled and owns or controls means any one of a combination of the relationships specified in subsections (a) or (b) below:

a) Ownership or control is evidenced by:

- 1) Being a permittee of a surface coal mining operation;
- 2) Based on instruments of ownership or voting securities, owning of record in excess of fifty (50) percent of an entity; or
- 3) Having any other relationship which gives one person authority directly or indirectly to determine the manner in which an applicant, an operator, or other entity conducts surface coal mining operations.

b) The following relationships are presumed to constitute ownership or control unless a person can demonstrate that the person subject to the presumption does not in fact have the authority directly or indirectly to determine the manner in which the relevant surface coal mining operation is conducted.

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- 1) Being an officer or director of an entity;
- 2) Being the operator of a surface coal mining operation;
- 3) Having the ability to commit the financial or real property assets or working resources of an entity;
- 4) Being a general partner in a partnership;
- 5) Based on the instruments of ownership or the voting securities of a corporate entity, owning of record ten (10) through fifty (50) percent of the entity; or
- 6) Owning or controlling coal to be mined by another person under a lease, sublease or other contract and having the right to receive such coal after mining or having authority to determine the manner in which that person or another person conducts a surface coal mining operation.

(Source: Added at ___ Ill. Reg. ___, effective ___, 1990)

Section 1773.11 Requirements to Obtain Permits

a) All operations.

On and after February 1, 1983, no person shall engage in or carry out any surface coal mining and reclamation operations on non-Federal or non-Indian Lands within the State, unless such person has first been issued a permanent regulatory program permit by the Illinois Department of Mines and Minerals (Department), except as provided for in subsection (b). A permittee need not renew the permit if no surface coal mining operations will be conducted under the permit and solely reclamation activities remain to be done. Obligations established under a permit continue until completion of surface coal mining and reclamation operations, regardless of whether the authorization to conduct surface coal mining operations has expired or has been terminated, revoked, or suspended.

b) Continuation of interim regulatory program operations.

- 1) A person authorized to conduct surface coal mining and reclamation operations under a permit issued or amended by the Department in accordance with the requirements of the interim regulatory program may conduct such operations beyond February 1, 1983, if:

A) Not later than August 3, 1982, regardless of litigation

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contesting that program, an application for a permanent regulatory program permit is filed for any operation to be conducted after February 1, 1983, in accordance with the provisions of the permanent program;

- B) The Department has not yet rendered an initial administrative decision approving or disapproving the permit; and
- C) The surface coal mining and reclamation operation is conducted in compliance with the requirements of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) (Federal Act), the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, pars. 7901.01 et seq.) (State Act), 62 Ill. Adm. Code 1800 through 1850 and all terms and conditions of the interim program permit.

- 2) No new interim program permits shall be issued.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1773.15 Review of Permit Applications

a) General.

- 1) The Department shall review the application for a permit, revision, or renewal; written comments and objections submitted; and records of any informal conference or hearing held on the application and issue a written decision, in accordance with Section 1773.19, either granting, requiring modification of, or denying the application. If an informal conference is held under Section 1773.13(c), the decision shall be made within sixty (60) days of the close of the conference, unless a later time is necessary to provide an opportunity for a hearing under subsection (b)(3).

- 2) The applicant for a permit or revision of a permit shall have the burden of establishing that his application is in compliance with all the requirements of the regulatory program.

b) Review of violations.

- 1) The Department shall make a finding that any surface coal mining and reclamation operation owned or controlled by the applicant is not currently in violation of the Federal Act or in violation of any Federal law, rule or regulation, or any State law, rule or regulation enacted pursuant to Federal law.

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rule or regulation pertaining to air or water environmental protection. If such a finding cannot be made, the Department shall require the applicant, before the issuance of the permit, to either:

Based on available information concerning Federal and State failure-to-abate cessation orders, unabated Federal and State imminent harm cessation orders, delinquent civil penalties issued pursuant to Section 8.04 of the State Act and Section 518 of Federal the Act, bond forfeitures where violations upon which the forfeitures were based have not been corrected, delinquent abandoned mine reclamation fees, and unabated violations of Federal and State laws, rules, and regulations pertaining to air or water environmental protection incurred in connection with any surface coal mining operation, the Department shall not issue the permit if any surface coal mining and reclamation operation owned or controlled by either the applicant or by any person who owns or controls the applicant is currently in violation of the State Act, Federal Act or any other law, rule or regulation referred to in this subsection. In the absence of a failure-to-abate cessation order, the Department may presume that a notice of violation issued pursuant to 62 Ill. Adm. Code 1843.12 or under a Federal or State program has been or is being corrected to the satisfaction of the agency with jurisdiction over the violation, except where evidence to the contrary is set forth in the permit application, or where the notice of violation is issued for nonpayment of abandoned mine reclamation fees or civil penalties. If a current violation exists, the Department shall require the applicant or person who owns or controls the applicant, before the issuance of the permit, to either:

- A) Submit to the Department proof that the current violation has been or is in the process of being corrected to the satisfaction of the agency that has jurisdiction over the violation; or
- B) Establish for the Department that the applicant, or any person owned or controlled by either the applicant or any person who owns or controls the applicant, has filed and is presently pursuing, in good faith, a direct administrative or judicial appeal to contest the validity of the current violation. If the circuit court reviewing the violation, pursuant to 62 Ill. Adm. Code 1775.13, either denies a stay applied for in the appeal or affirms the violation, then the applicant shall promptly submit the proof required under subsection (b)(1)(A) within thirty (30) days of the court's decision.

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- 2) The Department may issue a permit conditionally pending the outcome of an appeal described in subsection (b)(1)(B).

Any permit that is issued on the basis of proof submitted under subsection (b)(1)(A) that a violation is in the process of being corrected, or pending the outcome of an appeal described in subsection (b)(1)(B), shall be conditionally issued.

- 3) If the Department makes a finding that the applicant, anyone who owns or controls the applicant, or the operator specified in the application, controls or has controlled surface coal mining and reclamation operations with a demonstrated pattern of willful violations of the Federal or State Acts of such nature and duration and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the Federal or State Acts, the application shall be denied. Before such a finding becomes final, the applicant or operator shall be afforded an opportunity for an adjudicatory hearing on the determination as provided for in 62 Ill. Adm. Code 1775.11.

c) Written findings for permit application approval.

No permit application or application for a significant revision of a permit shall be approved unless the application affirmatively demonstrates and the Department finds, in writing, on the basis of information set forth in the application or from information otherwise available that is documented in the approval, the following:

- 1) The application is complete and accurate and the applicant has complied with all requirements of the Federal Act, State Act and the regulatory program.
- 2) The applicant has demonstrated that reclamation as required by the Federal Act, State Act and the regulatory program can be accomplished under the reclamation plan contained in the permit application.
- 3) The proposed permit area or the proposed shadow area for a planned subsidence operation is:
 - A) Not within an area under study or administrative proceedings under a petition, filed pursuant to 62 Ill. Adm. Code 1764, to have an area designated as unsuitable for surface coal mining operations, unless the applicant demonstrates that before January 4, 1977, he has made substantial legal and financial commitments in relation to

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the operation covered by the permit application; or

- B) Not within an area designated as unsuitable for mining pursuant to 62 Ill. Adm. Code 1762 and 1764 or subject to the prohibitions or limitations of 62 Ill. Adm. Code 1761.11 and 1761.12.

- 4) For mining operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Department the documentation required under 62 Ill. Adm. Code 1778.15(b).

- 5) The Department has made an assessment of the probable cumulative impacts of all anticipated coal mining on the hydrologic balance in the cumulative impact area, in accordance with 62 Ill. Adm. Code 1780 and 1784 and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.

- 6) The applicant has demonstrated that any existing structure will comply with 62 Ill. Adm. Code 1700.11(d).

- 7) The applicant has paid all reclamation fees from previous and existing operations as required by 30 CFR 870.

- 8) The applicant has satisfied the applicable requirements of 62 Ill. Adm. Code 1785.

- 9) The applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural post-mining land use, in accordance with the requirements of 62 Ill. Adm. Code 1816.11(d) and 1817.11(d).

- 10) The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

- 11) Surface coal mining and reclamation operations will not adversely affect a private family burial ground. Adversely affecting a private family burial ground shall not include relocation authorized by State law.

For a proposed re-mining operation where the applicant intends to reclaim in accordance with the requirements of 62 Ill. Adm. Code 1816.106 or 1817.106, the site of the operation is a previously mined area as defined in 62 Ill. Adm. Code 1701.

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Appendix A.

12) The Department has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Department has determined that no additional measures are necessary.

d) Performance bond submittal.

If the Department decides to approve the application, it shall require that the applicant file the performance bond or provide other equivalent guarantee before the permit is issued, in accordance with the provisions of 62 Ill. Adm. Code 1800.

e) Final compliance review. After an application is approved, but before the permit is issued, the Department shall reconsider its decision to approve the application, based on the compliance review required by subsection (b)(1), in light of any new information submitted under 62 Ill. Adm. Code Sections 1778.13(i) and 1778.14(e).

(Source: Amended at __ Ill. Reg. __, effective __, 1990)

Section 1773.17 Permit Conditions

Each permit issued by the Department shall be subject to the following conditions:

- a) The permittee shall conduct surface coal mining and reclamation operations only on those lands that are specifically designated as the permit area on the maps submitted with the application and authorized for the term of the permit and that are subject to the performance bond or other equivalent guarantee in effect pursuant to 62 Ill. Adm. Code 1800.
- b) The permittee shall conduct all surface coal mining and reclamation operations only as described in the approved application, except to the extent that the Department otherwise directs in the permit.
- c) The permittee shall comply with the terms and conditions of the permit, all applicable performance standards of the Federal and State Acts, and the requirements of the regulatory program.
- d) Without advance notice, delay, or a search warrant, upon

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presentation of appropriate credentials, the permittee shall allow the authorized representatives of the Department to:

- 1) Have the right of entry provided for in 62 Ill. Adm. Code 1840.12; and
- 2) Be accompanied by private persons for the purpose of conducting an inspection in accordance with 62 Ill. Adm. Code 1840, when the inspection is in response to an alleged violation reported to the Department by the private person.

e) The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

- 1) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;
- 2) Immediate implementation of measures necessary to comply; and
- 3) Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

f) As applicable, the permittee shall comply with 62 Ill. Adm. Code 1700.11(d) for compliance, modification, or abandonment of existing structures.

g) The operator shall pay all reclamation fees required by 30 CFR 870 for coal produced under the permit for sale, transfer or use.

h) Within thirty (30) days after a cessation order is issued under 62 Ill. Adm. Code Section 1843.11, for operations conducted under the permit, except where a stay of the cessation order is granted and remains in effect the permittee shall either submit to the Department the following information, current to the date the cessation order was issued, or notify the Department in writing that there has been no change since the immediately preceding submittal of such information:

- 1) Any new information needed to correct or update the information previously submitted to the Department by the permittee under 62 Ill. Adm. Code 1778.13(c); or
- 2) If not previously submitted, the information required from a permit applicant by 62 Ill. Adm. Code 1778.13(c).

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(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1773.19 Permit Issuance and Right of Renewal

a) Final permit decision.

- 1) The Department shall make its final decision to approve, deny or modify the permit application on the basis of:

- A) Complete applications for permits and revisions or renewals thereof;
- B) Public participation, as provided by Sections 1773.13 and 1773.14; and
- C) Compliance with all applicable provisions of 62 Ill. Adm. Code 1785.

- 2) The Department shall make its final permit decision within the following time limits, unless waived by the applicant:

- A) Within sixty (60) days of an informal conference held pursuant to Section 1773.13(c), unless a public hearing has been requested pursuant to Section 1773.14;
- B) Within sixty (60) days of a public hearing held pursuant to Section 1773.14; or
- C) If no informal conference or public hearing is requested, within one hundred and twenty (120) days of filing of the application.

- D) If final action on an application does not occur within the times prescribed in subsections (a)(2)(A), (B) or (C) above, which ever applies, the applicant may deem the application denied, and such denial shall constitute a final permit decision. The applicant may waive these time limits.

3) Notification.

The Department shall mail written notification of its final permit decision to the following persons and entities:

- A) The applicant, each person who files comments or objections to the permit application, and each party to an informal conference.

- B) The local governmental officials in the local political subdivision in which the land to be affected is located within ten (10) days after the issuance of a permit, including a description of the location of the land.

- C) The local OSMRE office.

- b) The permit shall deemed to be issued when:

- 1) The permit application, as originally submitted or as modified, is approved by the Department;
- 2) No request for hearing on the permit approval, pursuant to 62 Ill. Adm. Code 1775, is received by the Department within thirty (30) days after the permit applicant is mailed a copy of the final permit decision; and
- 3) Permit fees and reclamation bond, in the form and amounts set by 62 Ill. Adm. Code 1777.17 and 1800, have been received and accepted by the Department.

- c) Permit term.

Each permit shall be issued for a fixed term of five (5) years or less, unless the requirements of 62 Ill. Adm. Code 1778.17 are met.

- d) Right of renewal.

Permit application approval shall apply to those lands that are specifically designated as the permit area on the maps submitted with the application and for which the application is complete and accurate. Any valid permit issued in accordance with subsection (a) shall carry with it the right of successive renewal, within the approved boundaries of the existing permit, upon expiration of the term of the permit, in accordance with 62 Ill. Adm. Code 1774.15.

- e) Initiation of operations.

- 1) A permit shall terminate if the permittee has not begun the surface coal mining and reclamation operation covered by the permit within three (3) years of the issuance of the permit.

- 2) The Department may grant a reasonable extension of time for commencement of these operations, upon receipt of a written statement showing that such an extension of time is necessary, if:

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A) Litigation precludes the commencement or threatens substantial economic loss to the permittee; or

B) There are conditions beyond the control and without the fault or negligence of the permittee.

3) With respect to coal to be mined for use in a synthetic fuel facility or specified major electric generating facility, the permittee shall be deemed to have commenced surface mining operations at the time that the construction of the synthetic fuel or generating facility is initiated.

4) Extensions of time granted by the Department under this subsection (e) shall be specifically set forth in the permit, and notice of the extension shall be made public by the Department.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1773.20 Improvidently Issued Permits: General procedures

a) Permit review. If the Department receives information indicating that it improvidently issued a surface coal mining and reclamation permit, the Department shall review the circumstances under which the permit was issued using the criteria in subsection (b) below. Where the Department finds that the permit was improvidently issued, it shall undertake the remedial measures set forth in subsection (c) below.

b) Review criteria. The Department shall find that a surface coal mining and reclamation permit was improvidently issued if:

1) Under the violations review criteria of the regulatory program at the time the permit was issued:

A) The Department should not have issued the permit because of an unabated violation or a delinquent penalty or fee; or

B) The permit was issued on the presumption that a notice of violation was in the process of being corrected to the satisfaction of the agency with jurisdiction over the violation, but a cessation order subsequently was issued; and

2) The violation, penalty or fee:

A) Remains unabated or delinquent; and

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B) Is not the subject of a good faith appeal, or of an abatement plan or payment schedule with which the permittee or other person responsible is complying to the satisfaction of the responsible agency; and

3) Where the permittee was linked to the violation, penalty or fee through ownership or control, under the violations review criteria of the regulatory program at the time the permit was issued an ownership or control link between the permittee and the person responsible for the violation, penalty or fee still exists, or where the link was severed the permittee continues to be responsible for the violation, penalty or fee.

c) Remedial measures. If the Department finds, under subsection (b), that because of an unabated violation or a delinquent penalty or fee a permit was improvidently issued, the Department shall undertake one or more of the following remedial measures:

1) Implement, with the cooperation of the permittee or other person responsible, and of the responsible agency, a plan for abatement of the violation or a schedule for payment of the penalty or fee;

2) Impose on the permit a condition requiring that in a reasonable period of time the permittee or other person responsible abate the violation or pay the penalty or fee;

3) Suspend the permit until the violation is abated or the penalty or fee is paid; or

4) Rescind the permit under Section 1773.21.

(Source: Added at Ill. Reg. _____, effective _____, 1990)

Section 1773.21 Improvidently Issued Permits: Rescission procedures.

If the Department, under Section 1773.20(c)(4), elects to rescind an improvidently issued permit, the Department shall serve on the permittee a notice of proposed suspension and rescission which includes the reasons for the finding of the Department under Section 1773.20(b) and states that:

a) Automatic suspension and rescission. After a specified period of time not to exceed ninety (90) days the permit automatically will become suspended, and not to exceed ninety (90) days thereafter rescinded, unless within those periods the permittee submits proof, and the Department finds, that:

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- 1) The Department's finding under Section 1773.20(b) was erroneous;
- 2) The permittee or other person responsible has abated the violation on which the finding was based, or paid the penalty or fee, to the satisfaction of the responsible agency;
- 3) The violation, penalty or fee is the subject of a good faith appeal, or of an abatement plan or payment schedule with which the permittee or other person responsible is complying to the satisfaction of the responsible agency; or
- 4) Since the finding was made, the permittee has severed any ownership or control link with the person responsible for, and does not continue to be responsible for, the violation, penalty or fee.
- b) Cessation of operations. After permit suspension or rescission, the permittee shall cease all surface coal mining and reclamation operations under the permit, except for violation abatement and for reclamation and other environmental protection measures as required by the Department; and
- c) Right to appeal. The permittee may file a request for an administrative hearing to contest the notice under 62 Ill. Adm. Code 1775.11.

(Source: Added at Ill. Reg. _____, effective _____, 1990)

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- 1) Heading of the Part: Revision; Renewal; and Transfer, Assignment, or Sale of Permit Rights

2) Code Citation: 62 Ill. Adm. Code 1774

3) Section Number: _____ Proposed Action

1774.15 Amendment
1774.17 Amendment

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

The Illinois Department of Mines and Minerals (Department) has identified rules that must be amended in order to correct typographical errors and to more effectively carry out Illinois' responsibilities under the Surface Mining Control and Reclamation Act of 1977.

The following discussion describes the Department's proposed amendments to Part 1774 in response to these agency concerns:

Section 1774.15 sets forth the Department's requirements for permit renewals, in conformance with 30 CFR 774.15. The citation to 62 Ill. Adm. Code 1773.19(b) in Section 1774.15(b)(3) was changed to Section 1773.19(a)(3) in order to correct a typographical error.

Section 1774.17 sets forth the Department's requirements for the transfer, assignment, or sale of permit rights, in conformance with 30 CFR 774.17. A new sentence was added to Section 1774.17(b)(2) clarifying the number of newspaper advertisements that must be published when an application under this Section is filed with the Department.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

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8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers	Proposed Action	Illinois Register Citation
10) <u>Statement of Statewide Policy Objectives:</u>		
The proposed requirements will have no impact on local units of government.		
11) <u>Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:</u>		
Written comments regarding this proposal should be sent to:		
John C. Henriksen, Legal Counsel		
Illinois Department of Mines and Minerals		
300 West Jefferson Street, Suite 300		
P. O. Box 10137		
Springfield, Illinois 62791-0137		
Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.		
Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.		
The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.		
12) <u>Initial Regulatory Flexibility Analysis:</u>		
This rulemaking does not affect small businesses.		
<u>The full text of the Proposed Amendments begins on the next page:</u>		

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
 Illinois Department of Mines and Minerals
 300 West Jefferson Street, Suite 300
 P. O. Box 10137
 Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING
 CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1774

REVISION; RENEWAL; AND TRANSFER, ASSIGNMENT, OR SALE OF PERMIT RIGHTS

Section

1774.1	Scope and Purpose
1774.11	Department Review of Permits
1774.13	Permit Revisions
1774.15	Permit Renewals
1774.17	Transfer, Assignment, or Sale of Permit Rights

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, para. 7901.01 et seq.).

SOURCE: Adopted at 11 Ill. Reg. 8469, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1774.15 Permit Renewals

a) A valid permit shall carry with it the right of successive renewal, within the approved boundaries of the existing permit, upon expiration of the term of the permit.

b) Application requirements and procedures.

1) An application for renewal of a permit shall be filed with the Department at least one hundred and eighty (180) days before expiration of the existing permit term.

2) An application for renewal of a permit shall be in the form required by the Department and shall include at a minimum:

A) The name and address of the permittee, the term of the renewal requested, and the permit number or other identifier;

B) Evidence that a liability insurance policy or adequate self-insurance under 62 Ill. Adm. Code 1800.60 will be provided by the applicant for the proposed period of renewal;

C) Evidence that the performance bond in effect for the operation will continue in full force and effect for any renewal requested, as well as any additional bond required by the Department pursuant to 62 Ill. Adm. Code 1800;

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- D) A copy of the proposed newspaper notice and proof of publication of same, as required by 62 Ill. Adm. Code 1778.21; and
- E) Additional revised or updated information required by the Department.
- 3) Applications for renewal shall be subject to the requirements of public notification and public participation contained in 62 Ill. Adm Code 1773.13 and 1773.19(b)(a)(3).

- 4) If an application for renewal includes any proposed revisions to the permit, such revisions shall be identified and be subject to the requirements of Section 1774.13.

- 5) If a complete application for renewal of a permit includes a proposal to extend the mining and reclamation operation beyond the permit area boundaries authorized in the existing permit, the portion of the complete application for renewal of a valid permit which addresses any new land areas shall be subject to the full standards applicable to new permit applications under the Act, and 62 Ill. Adm. Code 1773, 1777, 1778, 1779, 1780, 1783, 1784, 1785, and 1800.

c) Approval process.

- 1) Criteria for approval. The Department shall approve a complete and accurate application for permit renewal, unless it finds, in writing:

- A) The terms and conditions of the existing permit are not being satisfactorily met;
- B) The present surface coal mining and reclamation operations are not in compliance with the environmental protection standards of the Act and the regulatory program;
- C) The requested renewal substantially jeopardizes the operator's continuing ability to comply with the Act and the regulatory program on existing permit areas;
- D) The operator has not provided evidence of having liability insurance or self-insurance as required in 62 Ill. Adm. Code 1800.60;
- E) The operator has not provided evidence that any performance bond required to be in effect for the

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operation will continue in full force and effect for the proposed period of renewal, as well as any additional bond the Department might require pursuant to 62 Ill. Adm. Code 1800; or

- F) Additional revised or updated information required by the Department has not been provided by the applicant.

- 2) Burden of proof. In the determination of whether to approve or deny the renewal of a permit, the burden of proof shall be on the opponents of renewal.

- d) Renewal term. Any permit renewal shall be for a term not to exceed the period of the original permit established under 62 Ill. Adm. Code 1773.19.

- e) Notice of decision. The Department's decision issued pursuant to subsection (c) shall be made before the expiration of the original permit term. Within five (5) working days, the Department shall send copies of its decision to the applicant, to each person who filed comments or objections on the renewal, to each party to any informal conference held on the permit renewal, and to the Office of Surface Mining Reclamation and Enforcement (OSMRE).

- f) Administrative and judicial review. Any person having an interest which is or may be adversely affected by the decision of the Department shall have the right to administrative and judicial review set forth in 62 Ill. Adm. Code 1775.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1774.17 Transfer, Assignment, or Sale of Permit Rights

- a) No transfer, assignment, or sale of rights granted by a permit shall be made without the prior written approval of the Department.
- b) An applicant for approval of the transfer, assignment, or sale of permit rights shall:
- 1) Provide the Department with an application for approval of the proposed transfer, assignment, or sale including:

- A) The name and address of the existing permittee and permit number or other identifier;
- B) A brief description of the proposed action requiring approval; and

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- C) The legal, financial, compliance, and related information required by 62 Ill. Adm. Code 1778 for the applicant for approval of the transfer, assignment, or sale of permit rights.

- 2) Advertise the filing of the application in a newspaper of general circulation in the locality of the operations involved, indicating the name and address of the applicant, the permittee, the permit number or other identifier, the geographic location of the permit, and the address to which written comments may be sent. The advertisement shall be published at least once a week for two (2) consecutive weeks. A copy of the advertisement shall be submitted to the Department.

- 3) Obtain appropriate performance bond coverage in an amount sufficient to cover the proposed operations, as required under 62 Ill. Adm. Code 1800.

- c) Any person having an interest which is or may be adversely affected by a decision on the transfer, assignment, or sale of permit rights, including an official of any Federal, State, or local government agency, may submit written comments on the application to the Department within thirty (30) days of the public notice required under subsection (b)(2).

- d) The Department shall allow a permittee to transfer, assign, or sell permit rights to a successor, if it finds in writing, within sixty (60) days of the close of the public comment period in subsection (c), that the successor:

- 1) Is eligible to receive a permit in accordance with 62 Ill. Adm. Code 1773.15(b) and (c);
- 2) Has submitted a performance bond or other guarantee, or obtained the bond coverage of the original permittee, as required by 62 Ill. Adm. Code 1800; and
- 3) Meets any other requirements specified by the Department.

e) Notification.

- 1) Within five (5) working days of issuance, the Department shall notify the permittee, the successor, commenters, and OSMRE of its findings.

- 2) The successor shall immediately provide notice to the Department of the consummation of the transfer, assignment, or

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sale of permit rights.

- f) The successor in interest shall assume the liability and reclamation responsibilities of the existing permit and shall conduct the surface coal mining and reclamation operations in full compliance with the Act, the regulatory program, and the terms and conditions of the existing permit, unless the applicant has obtained a new or revised permit as provided in this Part.

(Source: Amended at __ Ill. Reg. ____, effective ____, 1990)

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1) Heading of the Part: State Enforcement

2) Code Citation: 62 Ill. Adm. Code 1843

3) Section Number:
1843.11
Proposed Action
Amended

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

On May 11, 1989, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17. In addition, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under the Surface Mining Control and Reclamation Act of 1977.

The following discussion describes the Department's proposed amendments to Part 1843 in response to this OSMRE directive and these agency concerns:

Section 1843.11 sets forth the Department's procedures for issuing cessation orders to surface coal mining and reclamation operations and coal exploration operations. The proposed amendment to subsection (a)(2) limits the automatic issuance of cessation orders for non-permitted operations to those operators actually engaged in surface coal mining. Proposed new subsection (g) requires that, within sixty (60) days of the issuance of a cessation order, the Department shall notify all owners and controllers identified pursuant to 62 Ill. Adm. Code 1773.17(h), 1778.13(c) and 1778.13(d), as amended. The proposed amendments to Section 1843.11 serve to make the Department's requirements consistent with OSMRE counterpart regulation, 30 CFR 843.11.

6) Will this proposed rule replace an emergency rule currently in effect?
No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

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If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?
No.

9) Are there any other proposed amendments pending on this Part?
No.

Section Numbers Proposed Action Illinois Register Citation
10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

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The full text of the Proposed Amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1843

STATE ENFORCEMENT

Section

1843.11	Cessation Orders
1843.12	Notices of Violation
1843.13	Suspension or Revocation of Permits
1843.14	Service of Notices of Violation, Cessation Orders, and Show Cause Orders
1843.15	Informal Public Hearing
1843.16	Formal Review of Citations
1843.17	Temporary Injunctive Relief
1843.18	Inability to Comply
1843.19	Injunctive Relief (Repealed)
1843.20	Intervention
1843.21	Discovery
1843.22	Petitions for Award of Costs and Expenses Under Section 525(e) of the Federal Act

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; amended at 6 Ill. Reg. 15024, effective December 30, 1982; codified at 8 Ill. Reg. 5932; amended at 9 Ill. Reg. 13334, effective October 10, 1985; amended at 11 Ill. Reg. 8536, effective July 1, 1987; amended at 11 Ill. Reg. _____, effective _____, 1990.

Section 1843.11 Cessation Orders

a)

- 1) An authorized representative of the Illinois Department of Mines and Minerals (Department) shall immediately order a cessation of surface coal mining and reclamation operations or of the relevant portion thereof, if he finds, on the basis of any State inspection, any condition or practice, or any violation of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) (Federal Act), the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1985, ch. 96 1/2, pars. 7901.01 et seq.) (State Act), 62 Ill. Adm. Code 1700 - 1850 or any condition of an exploration approval or permit imposed under the Federal Act, the State Act or 62 Ill. Adm. Code 1700 - 1850 which:

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A) Creates an imminent danger to the health or safety of the public; or

B) Is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.

2) Surface coal mining and ~~reclamation~~ operations conducted by any person without a valid surface coal mining permit constitutes a condition or practice which causes or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources, unless such operations:

A) Are an integral, uninterrupted extension of previously permitted operations, and the person conducting such operations has filed a timely and complete application for a permit to conduct such operations; or

B) Were conducted lawfully without a permit under the interim regulatory program because no permit has been required for such operations by the State of Illinois.

3) If the cessation order under subsection (a)(1) will not completely abate the imminent danger or harm in the most expeditious manner physically possible, the authorized representative of the Department shall impose affirmative obligations on the person to whom it is issued to abate the condition, practice, or violation. The order shall specify the time by which abatement shall be accomplished and may require, among other things, the use of existing or additional personnel and equipment.

b) 1) An authorized representative of the Department shall immediately order a cessation of coal exploration or surface coal mining and reclamation operations, or of the relevant portion thereof, when a notice of violation has been issued under Section 1843.12(a) and the person to whom it was issued fails to abate the violation within the abatement period fixed or subsequently extended by the authorized representative.

2) A cessation order issued under subsection (b)(1) shall require the person to whom it is issued to take all steps the authorized representative of the Department deems necessary to abate the violations covered by the order in the most expeditious manner physically possible.

c) A cessation order issued under subsections (a) or (b) shall be in

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writing, signed by the authorized representative who issues it, and shall set forth with reasonable specificity:

1) The nature of the condition, practice or violation;

2) The remedial action or affirmative obligation required, if any, including interim steps, if appropriate;

3) The time established for abatement, if appropriate, including the time for meeting any interim steps; and

4) A reasonable description of the portion of the coal exploration or surface coal mining and reclamation operation to which it applies. The order shall remain in effect until the condition, practice, or violation has been abated or until vacated, modified, or terminated in writing by an authorized representative of the Department or until the order expires pursuant to Section 1843.15.

d) Reclamation operations and other activities intended to protect public health and safety and the environment shall continue during the period of any order unless otherwise provided in the order.

e) An authorized representative of the Department may modify, terminate, or vacate a cessation order for good cause, and may extend the time for abatement if the failure to abate within the time previously set was not caused by lack of diligence on the part of the person to whom it was issued.

f) An authorized representative of the Department shall terminate a cessation order, by written notice to the person to whom the order was issued, when he determines that all conditions, practices, or violations listed in the order have been abated. Termination shall not affect the right of the Department to assess civil penalties for those violations under 62 Ill. Adm. Code 1845.

g) Within sixty (60) days after issuing a cessation order, the Department shall notify in writing any person who has been identified under 62 Ill. Adm. Code 1773.17(h) and 1778.13(c) and (d) as owning or controlling the permittee, that the cessation order was issued and that the person has been identified as an owner or controller.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Surface Mining Permit Applications - Minimum Requirements for Information on Environmental Resources

- 2) Code Citation: 62 Ill. Adm. Code 1779

- 3) Section Number: Proposed Action

1779.12 Amendment
1779.20 Repeal

- 4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:

On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

The following discussion describes the Department's proposed amendments to Part 1779 in response to these OSMRE directives:

Section 1779.12 sets forth the Department's requirements for general environmental resources information for surface coal mining permit applications. The proposed amendments to Section 1779.12 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 779.12, by permitting the Department to require the applicant to identify and evaluate important historic and archeological resources that may be eligible for listing on the National Register of Historic Places through the collection of additional information, including conducting field investigations.

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Section 1779.20 sets forth the Department's requirements for fish and wildlife information for surface coal mining permit applications. The Department proposes to repeal this Section and to add its requirements to 62 Ill. Adm. Code 1780.16, as amended.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.

- 7) Does this rulemaking contain an automatic repeal date? Yes X No
If "Yes," please specify the date: _____

- 8) Does this proposed amendment contain incorporations by reference?
No.

- 9) Are there any other proposed amendments pending on this Part?
No.

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. Monday, October 2, 1989. Comments received thereafter will

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not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1779

SURFACE MINING PERMIT APPLICATIONS - MINIMUM REQUIREMENTS
FOR INFORMATION ON ENVIRONMENTAL RESOURCES

Section
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Responsibilities

Use of Existing Data

Use of Expert Opinion

Seasonal Water Quality Data (Repealed)

General Requirements

General Environmental Resources Information

Description of Hydrology and Geology: General

(Repealed)

Geology Description (Repealed)

Ground Water Information (Repealed)

Surface Water Information (Repealed)

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Vegetation Information

Fish and Wildlife Resources Information (Repealed)

Soil Resources Information

Land use Information

Maps: General Requirements

Cross Sections, Maps and Plans

Prime Farmland Investigation (Repealed)

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 10013; amended at 11 Ill. Reg. 8585, effective July 1, 1987; amended at ___ Ill. ___, effective ___, 1990.

Section 1779.12 General Environmental Resources Information

Each application shall describe and identify:

a) The lands subject to surface coal mining operations over the estimated life of those operations and the size, sequence, and timing of the subareas for which it is anticipated that individual permits for mining will be sought; and

b)

1) The nature of cultural, archeological and historic resources

adjacent areas. The description shall be based on all available information, including, but not limited to, data of State and local archeological, historical, and cultural preservation agencies.

- 2) If the information provided pursuant to subsection (b)(1) is not adequate to enable the Department to make the finding required in 62 Ill. Adm. Code 1773.15(c)(12) because information available to the Department indicates a substantial likelihood of currently unknown resources which would be eligible for the National Register of Historic Places within the proposed permit or adjacent areas, the Department shall require the applicant to submit additional information to enable the Department to identify and evaluate such resources. An applicant shall be required to conduct field investigations under this subsection as determined necessary by the Department.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1779.20 Fish and Wildlife Resources Information

- e) Each application shall include a study of fish and wildlife and their habitats within the proposed mine plan area and the portions of the adjacent areas where effects on such resources may be expected to occur.
- b) Prior to initiating such studies, the applicant shall contact the Department to determine in accordance with subsection (c) what fish and wildlife resources information will be required.
- e) The Department in consultation with the Illinois Department of Conservation shall determine the level of detail and the areas of such studies according to:

- 1) Published data and other information;
- 2) Site-specific information obtained by the applicant; and
- 3) Written guidance obtained from agencies consulted.

(Source: Repealed at ___ Ill. Reg. ___, effective ___, 1990)

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NOTICE OF PROPOSED AMENDMENTS

Application--Minimum

- 1) Heading of the Part: Surface Mining Permit Requirements for Reclamation and Operation Plan
- 2) Code Citation: 62 Ill. Adm. Code 1780
- 3) Section Number: Proposed Action

1780.16	Amendment
1780.21	Amendment
1780.31	Amendment
- 4) Statutory Authority:
Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

On October 25, 1988, OSMRE conditionally approved the Department's amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

Finally, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under SMCRA and under Section 4.02 of the Illinois Administrative Procedure

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Act (IAPA). Ill. Rev. Stat. 1987, ch. 127, par. 1004.02.

The following discussion describes the Department's proposed amendments to Part 1780 in response to these OSMRE directives and agency concerns.

Section 1780.16 sets forth the Department's requirements for fish and wildlife plans in surface coal mining permit applications. The Department's proposed amendments to Section 1780.16 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 780.16.

Section 1780.21 sets forth the Department's requirements for hydrologic information in surface coal mining permit applications. The Department's proposed amendments to Section 1780.21(a) serve to correct a typographical error in the address of the Department's Land Reclamation Division. The Department's proposed amendments to Section 1780.21(f) serve to make the Department's rules for the determination of probable hydrologic consequences consistent with the counterpart OSMRE regulation, 30 CFR 780.21(f). The Department's proposed amendments to Section 1780.21(i) serve to define when the Department may exercise its power to waive the ground water monitoring requirement, in accordance with Section 4.02 of the IAPA.

Section 1780.31 sets forth the Department's requirements for the protection of public parks and historic places applicable to surface coal mines. The proposed amendments to Section 1780.31 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 780.31, by requiring the applicant to prevent or minimize the impacts of proposed operations on privately-owned places listed on the National Register of Historic Places and by allowing the Department to specify appropriate mitigation and treatment measures for places listed and eligible for Register listing.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes X No

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

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No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1780

SURFACE MINING PERMIT APPLICATION—MINIMUM
REQUIREMENTS FOR RECLAMATION AND OPERATION PLAN

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1780.4	Use of Existing Data
1780.5	Use of Expert Opinion
1780.6	Operation Plan: General Requirements
1780.11	Operation Plan: Existing Structures
1780.12	Operation Plan: Blasting
1780.13	Operation Plan: Maps and Plans
1780.14	Air Pollution Control Plan
1780.15	Fish and Wildlife Plan
1780.16	Reclamation Plan: General Requirements
1780.18	Hydrologic Information
1780.21	Geologic Information
1780.22	Reclamation Plan: Post-mining Land Uses
1780.23	Reclamation Plan: Ponds, Impoundments, Banks, Dams, and Embankments
1780.25	Reclamation Plan: Surface Mining Near Underground Mining
1780.27	Diversions
1780.29	Protection of Public Parks and Historic Places
1780.31	Relocation or Use of Public Roads
1780.33	Disposal of Excess Spoil
1780.35	Transportation Facilities
1780.37	Rehabilitation of Siltation Structures, Diversions, Impoundments, and Treatment Facilities
1780.38	

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 8511; amended at 11 Ill. Reg. 8602, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1780.16 Fish and Wildlife Plan

- a) Each application shall contain a fish and wildlife plan, consistent with 62 Ill. Adm. Code 1816.07 which provides Resource information. Each application shall include fish and wildlife resource information for the permit area and adjacent area.

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- 1) A statement of how the plan will minimize disturbances and adverse impacts on fish and wildlife and related environmental values during surface coal mining and reclamation operations, and how enhancement of these resources will be achieved, where practicable. The plan shall cover the mine plan area and portions of adjacent areas as determined by the Department pursuant to 62 Ill. Adm. Code 1779.40(c).

The scope and level of detail for such information shall be determined by the Department in consultation with State and Federal agencies with responsibilities for fish and wildlife and shall be sufficient to design the protection and enhancement plan required under subsection (b).

- A) Prior to initiating such studies, the applicant shall contact the Department to determine, in accordance with subsection (B), what fish and wildlife resources information will be required.
- B) The Department, in consultation with the Illinois Department of Conservation, shall determine the level of detail and the areas of such studies according to:
- i) Published data and other information;
 - ii) Site-specific information obtained by the applicant; and
 - iii) Written guidance obtained from agencies consulted.

- 2) If the applicant states that it will not be practicable in accordance with subsection (c)(1), to achieve a condition which clearly shows a trend toward enhancement of fish and wildlife resources at the time revegetation has been successfully completed under 62 Ill. Adm. Code 1816.111 through 1816.117, a statement shall be provided which establishes why it is not practicable to achieve such a condition.

Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include:

- A) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the Secretary under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) or those species or habitats protected by similar State statutes.

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- B) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or
- C) Other species or habitats identified through agency consultation as requiring special protection under State or Federal law.
- b) A statement explaining how the applicant will utilize impact-control measures, management techniques, and monitoring methods to protect or enhance the following, if they are to be affected by the proposed activities:

Protection and enhancement plan. Each application shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations and how enhancement of these resources will be achieved where practicable. This description shall—

- 1) Threatened or endangered species of plants or animals listed by the Secretary of the United States Department of the Interior (Secretary) under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and their critical habitats;
Be consistent with the requirements of 62 Ill. Adm. Code 1816.97;
- 2) Species such as eagles, migratory birds or other animals protected by State or Federal law, and their habitats; or other species identified through the consultation process pursuant to 62 Ill. Adm. Code 1770.20; or
Apply, at a minimum, to species and habitats identified under subsection (a); and
- 3) Habitats of unusually high value for fish and wildlife, such as wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, reproduction and nursery areas, and wintering areas.

Include—

- A) Protective measures that will be used during the active

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mining phase of operation. Such measures may include the establishment of buffer zones, the selective location and special design of haul roads and powerlines, and the monitoring of surface water quality and quantity; and

B) Enhancement measures that will be used during the reclamation and postmining phase of operation to develop aquatic and terrestrial habitat. Such measures may include restoration of streams and other wetlands, retention of ponds and impoundments, establishment of vegetation for wildlife food and cover, and the replacement of perches and nest boxes. Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.

- c) Fish and Wildlife Service review. Upon request, the Department shall provide the resource information required under subsection (a) and the protection and enhancement plan required under subsection (b) to the U.S. Department of the Interior, Fish and Wildlife Service Regional or Field Office for their review. This information shall be provided within 10 days of receipt of the request from the Service.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1780.21 Hydrologic Information

- a) All water quality analyses performed to meet the requirements of this Section shall be conducted according to the methodology in the 15th edition of "Standard Methods for the Examination of Water and Wastewater," (1980) which is incorporated by reference, or the methodology in 40 CFR 136 and 434. Water quality sampling performed to meet the requirements of this Section shall be conducted according to either methodology listed above when feasible. "Standard Methods for the Examination of Water and Wastewater" (1980) is a joint publication of the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation and is available from the American Public Health Association, 1015 15th Street, NW, Washington D.C. 20036. This document is also available for inspection at the Land Reclamation Division, Department of Mines and Minerals, 227 South 7th Street, Rm. 201, Springfield, Ill., 62701 300 West Jefferson Street, Suite 300, P.O. Box 10197, Springfield, Illinois 62791-0197.

- b) The application shall contain the following baseline hydrologic information. When this information is insufficient for the Department to determine if adverse impacts may result to the

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hydrologic balance, additional information shall be required, such as but not limited to water supply contamination or diminution.

- 1) Ground water information. The location and ownership for the permit and adjacent area of existing wells, springs, and other ground water resources, seasonal quality and quantity of ground water, and usage.

A) Ground water quality descriptions shall include, at a minimum, pH, total dissolved solids, hardness, alkalinity, acidity, sulfates, total iron and total manganese. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all zones being monitored.

B) Ground water quantity descriptions shall include, at a minimum, approximate rates of discharge or usage and elevation of the potentiometric surface in the coal to be mined, in each water-bearing stratum above the coal to be mined, and in each water-bearing stratum which may be potentially impacted below the coal to be mined.

- 2) Surface water information. The name, location, ownership, and description of all surface water bodies, such as streams, lakes, and impoundments, the location of any discharge into any surface water body in the proposed permit and adjacent areas, and information on surface water quality and quantity sufficient to demonstrate seasonal variation and water usage.

A) Water quality descriptions shall include, at a minimum, baseline information on pH, total suspended solids, total dissolved solids, alkalinity, acidity, sulfates, total iron and total manganese. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all surface water points being monitored.

B) Water quantity descriptions shall include, at a minimum, baseline information on seasonal flow rates.

- 3) If the determination of probable hydrologic consequences required by subsection (f) indicates that adverse impacts on or off the proposed permit area may occur to the hydrologic balance, or that acid-forming or toxic-forming material is

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present that may result in the contamination of ground or surface water supplies, then information supplemental to that required under subsections (1) and (2) shall be provided to evaluate such probable hydrologic consequences and to plan remedial and reclamation activities. Such supplemental information shall be based upon drilling, hydrogeologic analyses of water-bearing strata, flood flows, or analysis of other water quality or quantity characteristics.

c) Baseline cumulative impact area information.

- 1) Hydrologic and geologic information for the cumulative impact area necessary to assess the probable cumulative hydrologic impacts of the proposed operation and all anticipated mining on surface and ground water systems as required by subsection (g) shall be provided to the Department, if available from appropriate Federal or State agencies.

2) If the information is not available from such agencies, then the applicant may gather and submit this information to the Department as part of the permit application.

- 3) The permit shall not be approved until the necessary hydrologic and geologic information is available to the Department.

d) The use of modeling techniques, interpolation or statistical techniques may be included as part of the permit application if such techniques will enhance the evaluation of hydrological impacts, but actual surface and ground water information may be required by the Department for the purposes of calibration of such models for each site even when such techniques are used.

- e) If the determination of probable hydrologic consequences required in subsection (f) indicates that the proposed mining operation may proximately result in the contamination, diminution, or interruption of an underground or surface water source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purpose, then the application shall contain information on water availability and alternate water sources, including the suitability of the alternate water source for existing premining uses and approved post-mining land uses.

f) Determination of the probable hydrologic consequences (PHC).

- 1) The application shall contain a determination of the probable hydrologic consequences of the proposed surface mining activities, on the proposed permit area and adjacent area, with

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respect to the hydrologic regime and the quantity and quality of water in surface and ground water systems under all seasonal conditions, including the contents of dissolved and total suspended solids, total iron, pH, total manganese, and other parameters required by the Department if such parameters are necessary to assure an accurate determination of probable hydrologic consequences.

2) The PHC determination shall be based on baseline hydrologic, geologic and other information collected for the permit application and may include data statistically representative of the site.

3) The PHC determination shall include findings on:

A) Whether adverse impacts may occur to the hydrologic balance;

B) Whether acid-forming or toxic-forming materials are present that could result in the contamination of surface or ground-water supplies;

C) Whether the proposed operation may proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purposes; and

D) What impact the proposed operation will have on:

i) sediment yield from the disturbed area;

ii) acidity, total suspended and dissolved solids, and other important water quality parameters of local impact;

iii) flooding or stream-flow alteration;

iv) ground-water and surface-water availability; and

v) other characteristics as required by the Department.

4) An application for permit revision shall be reviewed by the Department to determine whether a new or updated PHC determination shall be required.

g) Cumulative hydrologic impact assessment

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1) The Department shall provide an assessment of the probable cumulative hydrologic impacts of the proposed operation and all anticipated mining upon surface and ground water systems in the cumulative impact area. This assessment shall be sufficient for purposes of permit approval, to determine whether the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. The Department shall allow the submittal of data and analyses by the permittee in accordance with subsection (c).

2) An application for a permit revision shall be reviewed by the Department to determine whether a new or updated assessment shall be required.

h) The application shall include a plan with maps and descriptions, indicating how the relevant requirements of 62 Ill. Adm. Code 1816.41 through 1816.43 will be met. The plan shall be specific to local hydrologic conditions. It shall contain steps to be taken during mining and reclamation through bond release to minimize disturbances to the hydrologic balance within the permit and adjacent areas; to prevent material damage outside the permit area; to meet the applicable Federal and State water quality laws and regulations and to protect the rights of present water users. The plan shall include the measures to be taken to avoid acid or toxic drainage; prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow; provide water treatment facilities when needed; control drainage; restore approximate premining recharge capacity and protect or replace rights of present water users. The plan shall specifically address any potential adverse hydrologic consequences identified in subsection (f) and shall include preventative and remedial measures.

i) Ground water monitoring plan

1) The application shall include a ground water monitoring plan based upon the determination of probable hydrologic consequences required under subsection (f) and the analyses of all baseline hydrologic, geologic and other information in the permit application. The plan shall provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved post-mining land uses and to the objectives for protection of the hydrologic balance set forth in subsection (h). It shall identify the quantity and quality parameters to be monitored, sampling frequency and site locations. It shall describe how the data may be used to determine the impacts of the operation on the hydrologic

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balance. At a minimum, the parameters to be monitored shall include pH, total dissolved solids, hardness, alkalinity, acidity, sulfates, total iron, total manganese and water levels. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all zones being monitored. Data shall be submitted to the Department every three months for each monitoring location. The Department may require additional monitoring, such as increased parameters or frequency, if it is determined that the existing or proposed monitoring program is not designed to detect adverse impacts to the hydrologic balance.

- 2) If an applicant can demonstrate the proposed operation will not result in an adverse impact to the hydrologic balance, then the Department may waive the requirement for ground water monitoring. Such a waiver will not necessarily relieve the applicant from collecting the baseline ground water data required under subsection (b).

- 3) The Department may waive the requirement for ground water monitoring if it finds that the proposed operation will not proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purposes.

j) Surface water monitoring plan

- 1) The application shall include a surface water monitoring plan based upon the determination of probable hydrologic consequences required in subsection (f) and the analysis of all baseline hydrologic, geologic and other information in the permit application. The plan shall provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved post-mining land uses, to the objectives for protection of the hydrologic balance set forth in subsection (h) and the effluent limitations in 40 CFR 434.

- 2) The plan shall identify the surface water quantity and quality parameters to be monitored, sampling frequency and site locations. It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance.

- A) At all monitoring locations in the surface water bodies such as streams, lakes and impoundments, that are

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potentially impacted or into which water will be discharged and at upstream monitoring locations pH, total dissolved solids, total suspended solids, alkalinity, acidity, sulfates, total iron, total manganese and flow shall be monitored. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all locations being monitored.

- B) For point-source discharges, monitoring shall be conducted in accordance with 40 CFR 122, 123 and 434 and as required by the Illinois Environmental Protection Agency (IEPA).

- 3) All surface water monitoring reports, including those required by the IEPA, shall be submitted to the Department every three (3) months. The Department shall require additional monitoring if it is determined that the existing or proposed monitoring plan is not adequate to detect adverse impacts to the hydrologic balance.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1780.31 Protection of Public Parks and Historic Places

- a) For any publicly owned parks or ~~historic~~ any places listed on the National Register of Historic Places that may be adversely affected by the proposed operations, each plan shall describe the measures to be used ~~to minimize or prevent these impacts and to obtain approval of the Department and other agencies as required in 62 Ill. Adm. Code 1761.12(f).~~

- 1) To prevent adverse impacts, or

- 2) If valid existing rights exist or joint agency approval is to be obtained under 62 Ill. Adm. Code 1761.12(e), to minimize adverse impacts.

- b) The Department may require the applicant to protect historic or archeological properties listed on or eligible for listing on the National Register of Historic Places through appropriate mitigation and treatment measures. Appropriate mitigation and treatment measures may be required to be taken after permit issuance provided that the required measures are completed before the properties are affected by any mining operation. Appropriate mitigation and treatment measures for properties consisting of buried or surface deposits of archeological materials may include making the property

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available to any interested archeological investigators for study for a reasonable period of time, taking into account mining plans and the amount of materials present.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

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- 1) Heading of the Part: Underground Mining Permit Applications--
Minimum Requirements for Information on Environmental Resources

- 2) Code Citation: 62 Ill. Adm. Code 1783

- 3) Section Number: Proposed Action

1783.12 Amendment
1783.20 Repeal

- 4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved:

On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

The following discussion describes the Department's proposed amendments to Part 1783 in response to these OSMRE directives:

Section 1783.12 sets forth the Department's requirements for general environmental resources information for underground coal mining permit applications. The proposed amendments to Section 1783.12 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 783.12, by permitting the Department to require the applicant to identify and evaluate important historic and archeological resources that may be eligible for listing on the National Register of Historic Places through the collection of additional information, including conducting field investigations.

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will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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Section 1783.20 sets forth the Department's requirements for fish and wildlife information for underground coal mining permit applications. The Department proposes to repeal this Section and to add its requirements to 62 Ill. Adm. Code 1784.21, as amended.

6) Will this proposed rule replace an emergency rule currently in effect?

No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers	Proposed Action	Illinois Register Citation
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10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter

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TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1783

UNDERGROUND MINING PERMIT APPLICATIONS--MINIMUM
REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES

Section	Requirements
1783.4	Responsibilities
1783.5	Use of Existing Data
1783.6	Use of Expert Opinion
1783.7	Seasonal Water Quality Data (Repealed)
1783.11	General Requirements
1783.12	General Environmental Resources Information
1783.13	Description of Hydrology and Geology: General (Repealed)
1783.14	Geology Description (Repealed)
1783.15	Ground Water Information (Repealed)
1783.16	Surface Water Information (Repealed)
1783.19	Vegetation Information
1783.20	Fish and Wildlife Resources Information (Repealed)
1783.21	Soil Resources Information
1783.22	Land Use Information
1783.24	Maps: General Requirements
1783.25	Cross-Sections, Maps, and Plans
1783.27	Prime Farmland Investigation (Repealed)

AUTHORITY: Implemented and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 4937; amended at 11 Ill. Reg. 8632, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1783.12 General Environmental Resources Information

Each application shall describe and identify:

- a) The lands subject to surface coal mining operations over the estimated life of those operations and the size, sequence, and timing of the subareas for which it is anticipated that individual permits for mining will be sought; and

- b)
 - 1) The nature of cultural, archeological and historic resources listed or eligible for listing on the National Register of

all available information, including, but not limited to, data of State and local archaeological, historic, and cultural preservation agencies.

- 2) If the information provided pursuant to subsection (b)(1) is not adequate to enable the Department to make the finding required in 62 Ill. Adm. Code 1773.15(c)(12) because information provided to the Department indicates a substantial likelihood of currently unknown resources which would be eligible for the National Register of Historic Places within the proposed permit or adjacent areas, the Department shall require the applicant to submit additional information to enable the Department to identify and evaluate such resources. An applicant shall be required to conduct field investigations under this subsection as determined necessary by the Department.

(Source: Amended at ___ Ill. Reg. ___, effective ___, 1990)

Section 1783.20 Fish and Wildlife Resources Information

- a) Each application shall include a study of fish and wildlife and their habitats within the proposed mine plan area where surface operations will be conducted or facilities located and the portions of the adjacent areas where effects on such resources may be expected to occur.
- b) Prior to initiating such studies, the applicant shall contact the Department to determine what fish and wildlife resources information will be required.
- c) The Department, in consultation with the Illinois Department of Conservation, shall determine the level of detail and the areas of such studies according to:
 - 1) Published data and other information
 - 2) Site specific information obtained by the applicant, and
 - 3) Written guidance obtained from agencies consulted.

(Source: Repealed at ___ Ill. Reg. ___, effective ___, 1990)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Underground Mining Permit Applications--Minimum Requirements for Reclamation and Operation Plan

2) Code Citation: 62 Ill. Adm. Code 1784

3) Section Number:
1784.14 Proposed Action
1784.17 Amendment
1784.21 Amendment

4) Statutory Authority:

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq.); The Illinois Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7901.01 et seq.).

5) A Complete Description of the Subjects and Issues Involved:

On June 9, 1987, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) sent the Illinois Department of Mines and Minerals (Department) a letter identifying Illinois rules concerning historic properties that must be amended in order to be no less effective than their Federal counterparts. Although the Department initiated rulemaking in a timely manner, the Department delayed promulgating final historic properties rules given the existence of litigation challenging the validity of the underlying Federal rules. By letter dated January 30, 1989, OSMRE advised the Department that the pending litigation concerning the Federal historic properties rules can no longer serve to delay the State rulemaking process.

On October 25, 1988, OSMRE conditionally approved the Department's amendments to its permanent regulatory program approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). See 53 Fed. Reg. 43112 (October 25, 1988). OSMRE's approval of Illinois' amendments to its regulatory program was conditioned upon the submittal of new amendments designed to correct defects identified in Illinois' rules.

On December 16, 1988, OSMRE sent the Department a letter identifying a series of Illinois regulations that must be amended in order to become consistent with current Federal regulations, pursuant to 30 CFR 732.17.

Finally, the Department has identified rules that must be amended in order to more effectively carry out Illinois' responsibilities under SMCRA and under Section 4.02 of the Illinois Administrative Procedure

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Act (IAPA). Ill. Rev. Stat. 1987, ch. 127, par. 1004.02.

The following discussion describes the Department's proposed amendments to Part 1784 in response to these OSMRE directives and agency concerns:

Section 1784.14 sets forth the Department's requirements for hydrologic information in underground coal mining permit applications. The Department's proposed amendments to Section 1784.14(a) serve to correct the address of the Department's Land Reclamation Division. The Department's proposed amendments to Section 1784.14(e) serve to make the Department's rules for the determination of probable hydrologic consequences consistent with the counterpart OSMRE regulation, 30 CFR 784.14(e). The Department's proposed amendments to subsection (h) serve to define when the Department may exercise its power to waive the ground water monitoring requirement, in accordance with Section 4.02 of the IAPA. The Department's proposed amendment to subsection (i) serves to make this rule consistent with its surface mining counterpart and operates to bring the Department's requirements into compliance with Section 4.02 of the IAPA.

Section 1784.17 sets forth the Department's requirements for the protection of public parks and historic places applicable to underground coal mines. The proposed amendments to Section 1784.17 serve to make the Department's requirements consistent with the OSMRE counterpart regulation, 30 CFR 784.17, by requiring the applicant to prevent or minimize the impacts of proposed operations on privately-owned places listed on the National Register of Historic Places and by allowing the Department to specify appropriate mitigation and treatment measures for places listed and eligible for listing.

Section 1784.21 sets forth the Department's requirements for fish and wildlife plans in underground coal mining permit applications. The Department's proposed amendments to Section 1784.21 serve to make the Department's requirements consistent with the counterpart OSMRE regulation, 30 CFR 784.21.

6) Will this proposed rule replace an emergency rule currently in effect?
No.

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No
If "Yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference?

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No.

9) Are there any other proposed amendments pending on this Part?

No.

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

The proposed requirements will have no impact on local units of government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments regarding this proposal should be sent to:

John C. Henriksen, Legal Counsel
Illinois Department of Mines and Minerals
300 West Jefferson Street, Suite 300
P. O. Box 10137
Springfield, Illinois 62791-0137

Commentors must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on Monday, October 2, 1989. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Friday, September 1, 1989, at 1:00 p.m., in the Department's Conference Room located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

12) Initial Regulatory Flexibility Analysis:

This rulemaking does not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 1784

UNDERGROUND MINING PERMIT APPLICATIONS—MINIMUM REQUIREMENTS FOR RECLAMATION AND OPERATION PLAN

Section

1784.4 Responsibilities

1784.5 Use of Existing Data

1784.6 Use of Expert Opinion

1784.11 Operation Plan: General Requirements

1784.12 Operation Plan: Existing Structures

1784.13 Reclamation Plan: General Requirements

1784.14 Hydrologic Information

1784.15 Reclamation Plan: Post-mining Land Uses

1784.16 Reclamation Plan: Ponds, Impoundments, Banks, Dams, and Embankments

1784.17 Protection of Public Parks and Historic Places

1784.18 Relocation or Use of Public Roads

1784.19 Underground Development Waste

1784.20 Subsidence Control Plan

1784.21 Fish and Wildlife Plan

1784.22 Geologic Information

1784.23 Operation Plan: Maps and Plans

1784.24 Transportation Facilities

1784.25 Return of Coal Processing Waste to Abandoned Underground Workings

1784.26 Air Pollution Control Plan

1784.27 Rehabilitation of Siltation Structures, Diversions, Impoundments, and Treatment Facilities

1784.29 Diversions

AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; amended at 6 Ill. Reg. 1, effective June 1, 1982; codified at 8 Ill. Reg. 9350; amended at 11 Ill. Reg. 8652, effective July 1, 1987; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 1784.14 Hydrologic Information

a) All water quality analyses performed to meet the requirements of this Section shall be conducted according to the methodology in the 15th edition of "Standard Methods for the Examination of Water and Wastewater," (1980) which is incorporated by reference, or the methodology in 40 CFR 136 and 434. Water quality sampling performed to meet the requirements of this Section shall be conducted

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according to either methodology listed above when feasible. "Standard Methods for the Examination of Water and Wastewater" (1980) is a joint publication of the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation and is available from the American Public Health Association, 1015 15th Street, NW., Washington D.C. 20036. This document is also available for inspection at the Land Reclamation Division, Department of Mines and Minerals, 427 South 7th Street, Room 201, Springfield, Illinois 62701 300 West Jefferson Street, Suite 300, P.O. Box 10197, Springfield, Illinois 62791-0197.

b) The application shall contain the following baseline hydrologic information. When this information is insufficient for the Department to determine if adverse impacts may result to the hydrologic balance, additional information shall be required, such as but not limited to water supply contamination or diminution.

1) Ground water information.

The location and ownership for the permit and adjacent area of existing wells, springs, and other ground water resources, seasonal quality and quantity of ground water, and usage.

A) Ground water quality descriptions shall include, at a minimum, pH, total dissolved solids, hardness, alkalinity, acidity, sulfates, total iron, total manganese and chlorides. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all zones being monitored.

B) Ground water quantity descriptions shall include, at a minimum, approximate rates of discharge or usage and elevation of the potentiometric surface in the coal to be mined, in each water-bearing stratum above the coal to be mined, and in each water-bearing stratum which may be potentially impacted below the coal to be mined.

2) Surface water information.

The name, location, ownership, and description of all surface water bodies, such as streams, lakes, and impoundments, the location of any discharge into any surface water body in the proposed permit and adjacent areas, and information on surface water quality and quantity sufficient to demonstrate seasonal variation and water usage.

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A) Water quality descriptions shall include, at a minimum, baseline information on pH, total suspended solids, total dissolved solids, alkalinity, acidity, sulfates, total iron, total manganese and chlorides. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all surface water points being monitored.

B) Water quantity descriptions shall include, at a minimum, baseline information on seasonal flow rates.

3) If the determination of probable hydrologic consequences required by subsection (e) indicates that adverse impacts on or off the proposed permit area may occur to the hydrologic balance, or that acid-forming or toxic-forming material is present that may result in the contamination of ground or surface water supplies, then information supplemental to that required under subsections (1) and (2) shall be provided to evaluate such probable hydrologic consequences and to plan remedial and reclamation activities. Such supplemental information shall be based upon drilling, hydrogeologic analyses of water-bearing strata, flood flows, or analysis of other water quality or quantity characteristics.

c) Baseline cumulative impact area information.

1) Hydrologic and geologic information for the cumulative impact area necessary to assess the probable cumulative hydrologic impacts of the proposed operation and all anticipated mining on surface and ground water systems as required by subsection (f) shall be provided to the Department, if available from appropriate Federal or State agencies.

2) If the information is not available from such agencies, then the applicant may gather and submit this information to the Department as part of the permit application.

3) The permit shall not be approved until the necessary hydrologic and geologic information is available to the Department.

d) The use of modeling techniques, interpolation or statistical techniques may be included as part of the permit application if such techniques will enhance the evaluation of hydrologic impacts, but actual surface and ground water information may be required by the Department for the purposes of calibration of such models for each

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site even when such techniques are used.

e) Determination of the probable hydrologic consequences (PHC).

1) The application shall contain a determination of the probable hydrologic consequences of the proposed operation on the proposed permit area, shadow area and adjacent area, with respect to the hydrologic regime and the quantity and quality of water in surface and ground water systems under all seasonal conditions, including the contents of dissolved and total suspended solids, total iron, pH, total manganese, and other parameters required by the Department if such parameters are necessary to assure an accurate determination of probable hydrologic consequences on a site-specific basis.

2) The PHC determination shall be based on baseline hydrologic, geologic and other information collected for the permit application and may include data statistically representative of the site.

3) The PHC determination shall include findings on:

A) Whether adverse impacts may occur to the hydrologic balance;

B) Whether acid-forming or toxic-forming materials are present that could result in the contamination of surface- or ground-water supplies; and

C) What impact the proposed operation will have on:

i) sediment yield from the disturbed areas;

ii) acidity, total suspended and dissolved solids, and other important water quality parameters of local impact;

iii) flooding or stream-flow alteration;

iv) ground-water and surface-water availability; and

v) other characteristics as required by the Department.

4) An application for a permit revision shall be reviewed by the Department to determine whether a new or updated PHC determination shall be required.

f) Cumulative hydrologic impact assessment.

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1) The Department shall provide an assessment of the probable cumulative hydrologic impacts of the proposed operation and all anticipated mining upon surface and ground water systems in the cumulative impact area. This assessment shall be sufficient for purposes of permit approval, to determine whether the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. The Department shall allow the submittal of data and analyses by the permittee in accordance with subsection (c).

2) An application for a permit revision shall be reviewed by the Department to determine whether a new or updated assessment shall be required.

g) The application shall include a plan with maps and descriptions, indicating how the relevant requirements of 62 Ill. Adm. Code 1817, including 62 Ill. Adm. Code 1817.41 through 1817.43, will be met. The plan shall be specific to local hydrologic conditions. It shall contain steps to be taken during mining and reclamation, through bond release, to minimize disturbances to the hydrologic balance within the permit, shadow, and adjacent areas; to prevent material damage outside the permit area; to meet the applicable Federal and State water quality laws and regulations. The plan shall include the measures to be taken to avoid acid or toxic drainage; prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow; provide water treatment facilities when needed; control drainage; restore approximate premining recharge capacity. The plan shall specifically address any potential adverse hydrologic consequences identified in subsection (e) and shall include preventative and remedial measures.

h) Ground water monitoring plan.

1) The application shall include a ground water monitoring plan based upon the determination of probable hydrologic consequences required under subsection (e) and the analyses of all baseline hydrologic, geologic and other information in the permit application. The plan shall provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved post-mining land uses and to the objectives for protection of the hydrologic balance set forth in subsection (g). It shall identify the quantity and quality parameters to be monitored, sampling frequency and site locations. It shall describe how the data may be used to determine the impacts of the operation on the hydrologic balance. At a minimum, the parameters to be monitored shall

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include pH, total dissolved solids, hardness, alkalinity, acidity, sulfates, total iron, total manganese and water levels. The Department shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all zones being monitored. Data shall be submitted to the Department every three months for each monitoring location. The Department may require additional monitoring, such as increased parameters or frequency, if it is determined that the existing or proposed monitoring program is not designed to detect adverse impacts to the hydrologic balance.

- 2) If an applicant can demonstrate the proposed operation will not result in an adverse impact to the hydrologic balance, then the Department may waive the requirement for ground water monitoring. Such a waiver will not necessarily relieve the applicant from collecting the baseline ground water data required under subsection (b).

- 3) The Department may waive the requirement for ground water monitoring if it finds that the proposed operation will not proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purposes.

i) Surface water monitoring plan.

- 1) The application shall include a surface water monitoring plan based upon the determination of probable hydrologic consequences required in subsection (e) and the analysis of all baseline hydrologic, geologic and other information in the permit application. The plan shall provide for monitoring of parameters that relate to the suitability of the surface water for current and approved post-mining land uses, to the objectives for protection of the hydrologic balance as set forth in subsection (g), and to the effluent limitations in 40 CFR 434.

- 2) The plan shall identify the surface water quantity and quality parameters to be monitored, sampling frequency and site locations. It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance.

- A) At all monitoring locations in the surface water bodies such as streams, lakes and impoundments, that are

potentially impacted or into which water will be discharged and at upstream monitoring locations, pH, total dissolved solids, total suspended solids, alkalinity, acidity, sulfates, total iron, total manganese and flow shall be monitored. The Department ~~may~~ shall allow the measurement of specific conductance in lieu of total dissolved solids if the permittee develops site-specific relationships precisely correlating specific conductance to total dissolved solids for specific sites for all locations being monitored.

- B) For point-source discharges, monitoring shall be conducted in accordance with 40 CFR 122, 123 and 434 and as required by the Illinois Environmental Protection Agency (IEPA).

- 3) All surface water monitoring reports, including those required by the IEPA, shall be submitted to the Department every three (3) months. The Department shall require additional monitoring if it is determined that the existing or proposed monitoring plan is not adequate to detect adverse impacts to the hydrologic balance.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1784.17 Protection of Public Parks and Historic Places.

- a) For any publicly owned parks or ~~historic~~ any places listed on the National Register of Historic Places that may be adversely affected by the proposed operation, each plan shall describe the measures to be used ~~to minimize or prevent these impacts and to obtain approval of the Department and other agencies as required in 62 Ill. Adm. Code 1761.12(f).~~

- 1) To prevent adverse impacts, or
- 2) If valid existing rights exist or joint agency approval is to be obtained under 62 Ill. Adm. Code 1761.12(e), to minimize adverse impacts.

- b) The Department may require the applicant to protect historic or archeological properties listed on or eligible for listing on the National Register of Historic Places through appropriate mitigation and treatment measures. Appropriate mitigation and treatment measures may be required to be taken after permit issuance provided that the required measures are completed before the properties are affected by any mining operations. Appropriate mitigation and treatment measures for properties consisting of buried or surface deposits of archeological materials may include making the property

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available to any interested archeological investigators for study for a reasonable period of time, taking into account mining plans and the amount of materials present.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

Section 1784.21 Fish and Wildlife Plan

- a) Each application shall contain a fish and wildlife plan consistent with the performance standards of 62 Ill. Adm. Code 1817.97 and which provides:

Resource information. Each application shall include fish and wildlife resource information for the permit area and adjacent area.

- 1) A statement of how the plan will minimize disturbances and adverse impacts on fish and wildlife and related environmental values during surface coal mining and reclamation operations, and how enhancement of these resources will be achieved, where practicable. The plan shall cover the portions of the mine plan area and adjacent areas as determined by the Department pursuant to 62 Ill. Adm. Code 1783.20.

The scope and level of detail for such information shall be determined by the Department in consultation with State and Federal agencies with responsibilities for fish and wildlife and shall be sufficient to design the protection and enhancement plan required under subsection (b).

- A) Prior to initiating such studies, the applicant shall contact the Department to determine, in accordance with subsection (B), what fish and wildlife resources information will be required.

- B) The Department, in consultation with the Illinois Department of Conservation, shall determine the level of detail and the areas of such studies according to:

- i) Published data and other information;
 - ii) Site-specific information obtained by the applicant; and
 - iii) Written guidance obtained from agencies consulted.
- 2) If the applicant states that it will not be practicable, in accordance with subsection (a)(1), to achieve a condition which clearly shows a trend toward enhancement of fish and wildlife

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resources at the time revegetation has been successfully completed under 62 Ill. Adm. Code 1817.111 through 1817.117, a statement shall be provided which establishes why it is not practicable to achieve such a condition.

Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include:

- A) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the Secretary under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) or those species or habitats protected by similar State statutes;

- B) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or

- C) Other species or habitats identified through agency consultation as requiring special protection under State or Federal law.

- b) A statement explaining how the applicant will utilize impact-control measures, management techniques, and monitoring methods to protect or enhance the following, if they are to be affected by the proposed activities:

Protection and enhancement plan. Each application shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations and how enhancement of these resources will be achieved where practicable. This description shall --

- 1) Threatened or endangered species of plants or animals listed by the Secretary of the United States Department of the Interior (Secretary) under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and their critical habitats; Be consistent with the requirements of 62 Ill. Adm. Code 1817.97;
- 2) Species such as eagles, migratory birds or other animals

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~~protected by State and Federal law, and their habitats, or other species identified through the consultation process pursuant to 62 Ill. Adm. Code 1783.20, or~~

Apply, at a minimum, to species and habitats identified under subsection (a); and

- 3) ~~Habitats of unusually high value for fish and wildlife, such as wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, reproduction and nursery areas, and wintering areas.~~

Include—

A) Protective measures that will be used during the active mining phase of operation. Such measures may include the establishment of buffer zones, the selective location and special design of haul roads and powerlines, and the monitoring of surface water quality and quantity; and

B) Enhancement measures that will be used during the reclamation and postmining phase of operation to develop aquatic and terrestrial habitat. Such measures may include restoration of streams and other wetlands, retention of ponds and impoundments, establishment of vegetation for wildlife food and cover, and the replacement of perches and nest boxes. Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.

- c) Fish and Wildlife Service review. Upon request, the Department shall provide the resource information required under subsection (a) and the protection and enhancement plan required under subsection (b) to the U.S. Department of the Interior, Fish and Wildlife Service Regional or Field Office for their review. This information shall be provided within 10 days of receipt of the request from the Service.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Organic Material Emission Standards and Limitations

- 2) Code Citation: 35 Ill. Adm. Code 215

- 3) Section Number: 215.206
Proposed Action: Amend

- 4) Statutory Authority: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111, pars. 1010 and 1027).

- 5) A Complete Description of the Subjects and Issues Involved: This matter is before the Board on a petition for a site-specific rulemaking filed July 19, 1988 by Roadmaster Corporation ("Roadmaster"). Roadmaster seeks relief from the Board's RACT II limitations on the maximum permissible volatile organic matter ("VOM") emissions from two flowcoater units at its manufacturing facility near Olney, in Robinson County, Illinois.

- 6) Will this proposed rule replace an emergency rule currently in effect? NO.

- 7) Does this rulemaking contain an automatic repeal date?
Yes No
If "yes," please specify the date: January 1, 1995

- 8) Does this proposed amendment contain incorporations by reference? NO.

- 9) Are there any other amendments pending on this Part? NO.
Section Numbers: Proposed Action: Ill. Reg. Citation:

- 10) Statement of Statewide Policy Objective (if applicable)?
The Board believes that local governments are not required by the proposal to establish, expand or modify its activities so as to necessitate additional expenditures.

POLLUTION CONTROL BOARD

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- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning R88-19 within 45 days of publication in the Illinois Register to the Clerk of the Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601.

- 12) Initial Regulatory Flexibility Analysis (if applicable):

- A) Date rule submitted to Business Assistance Office of the Department of Commerce and Community Affairs:
- B) Types of small businesses affected: The Board is providing notice to small businesses by publication in the Illinois Register and by submission of the proposed amendment to the Business Assistance Office of the Department of Commerce and Community Affairs (DCCA). Small Businesses are encouraged to notify the Board of any impact that may result from adoption of this proposed amendment.
- C) Reporting, bookkeeping or other procedures required for compliance: Roadmaster Corporation must annually report to the Environmental Protection Agency relating its effort to find a compliant paint that it can successfully use in its existing flowcoating/oven operations.
- D) Types of professional skills necessary for compliance: Roadmaster Corporation must have personnel on staff competent to perform the required testing of paints and compile the annual compliance reports to the Environmental Protection Agency.

The full text of the adopted amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 215

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS

SUBPART A: GENERAL PROVISIONS

Section
215.100 Introduction
215.101 Clean-up and Disposal Operations
215.102 Testing Methods
215.103 Abbreviations and Conversion Factors
215.104 Definitions
215.105 Incorporations by Reference
215.106 Afterburners
215.107 Determination of Applicability

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section
215.121 Storage Containers
215.122 Loading Operations
215.123 Petroleum Liquid Storage Tanks
215.124 External Floating Roofs
215.125 Compliance Dates and Geographical Areas
215.126 Compliance Plan

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section
215.141 Separation Operations
215.142 Pumps and Compressors
215.143 Vapor Blowdown
215.144 Safety Relief Valves

SUBPART E: SOLVENT CLEANING

Section
215.181 Solvent Cleaning in General
215.182 Cold Cleaning
215.183 Open Top Vapor Degreasing
215.184 ConveyORIZED Degreasing

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NOTICE OF PROPOSED AMENDMENTS

215.185

Compliance Plan

SUBPART F: COATING OPERATIONS

Section

- 215.202 Compliance Schedules
- 215.204 Emission Limitations for Manufacturing Plants
- 215.205 Alternative Emission Limitations
- 215.206 Exemptions from Emission Limitations
- 215.207 Compliance by Aggregation of Emission Sources
- 215.208 Testing Methods for Solvent Content
- 215.209 Exemption from General Rule on Use of Organic Material
- 215.210 Alternative Compliance Schedule
- 215.211 Compliance Dates and Geographical Areas
- 215.212 Compliance Plan
- 215.213 Special Requirements for Compliance Plan

SUBPART H: SPECIAL LIMITATIONS FOR SOURCES IN MAJOR URBANIZED AREAS WHICH ARE NONATTAINMENT FOR OZONE

Section

- 215.240 Applicability
- 215.245 Flexographic and Rotogravure Printing
- 215.241 External Floating Roofs
- 215.249 Compliance Dates

SUBPART I: ADJUSTED RACT EMISSIONS LIMITATIONS

Section

- 215.260 Applicability
- 215.261 Petition
- 215.263 Public Hearing
- 215.264 Board Action
- 215.267 Agency Petition

SUBPART K: USE OF ORGANIC MATERIAL

Section

- 215.301 Use of Organic Material
- 215.302 Alternative Standard
- 215.303 Fuel Combustion Emission Sources
- 215.304 Operations with Compliance Program
- 215.305 Viscose Exemption (Repealed)

SUBPART N: VEGETABLE OIL PROCESSING

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section

- 215.340 Hexane Extraction Soybean Crushing
- 215.342 Hexane Extraction Corn Oil Processing
- 215.344 Recordkeeping for Vegetable Oil Processes
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- 215.346 Compliance Dates and Geographical Areas
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Appendix A Rule into Section Table
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 Appendix C Past Compliance Dates
 Appendix D List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
 Appendix E Reference Methods and Procedures
 Appendix F Coefficients for the Total Resource Effectiveness Index (TRE) Equation

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111, pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601; Notice of Corrections at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10893, effective June 27, 1989; amended in R88-19 at 13 Ill. Reg. _____, effective _____.

Section 215.206 Exemptions from Emission Limitations

- a) The limitations of this Subpart shall not apply to:

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1) Coating plants whose emissions of volatile organic material as limited by the operating permit will not exceed 22.7 Mg/year (25 T/year), in the absence of air pollution control equipment; or

2) Sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance provided that:

- A) The operation of the source is not an integral part of the production process;
- B) The emissions from the source do not exceed 363 kg (800 lbs) in any calendar month; and
- C) The exemption is approved in writing by the Agency.

3) Interior body spray coating material for three-piece steel cans used by National Can Corporation at its Rockford can manufacturing plant in Loves Park, Illinois, provided that:

A) The emission of volatile organic material from the interior body spray coating line shall not exceed 0.70 kg/l (5.8 lb/gal) of coating material, excluding water, delivered to the coating applicator; and

B) The emission of volatile organic material shall comply with the provisions of Section 215.204 by use of the internal offset provisions of Section 215.207 computed on a weekly weighted average basis.

b) The limitations of Section 215.204(j) shall not apply to the Waukegan, Illinois, facilities of the Outboard Marine Corporation, so long as the emissions of volatile organic material related to the surface coating of miscellaneous metal parts and products at those facilities do not exceed 35 tons per year.

c) Notwithstanding the limitations of Section 215.204(k)(2), the John Deere Harvester-Moline Works of Deere & Company, Moline, Illinois, shall not cause or permit the emission of volatile organic material from

its existing green and yellow floccating operations to exceed a weekly average of 6.2 lb/gal.

d) Notwithstanding the limitations of Section 215.204(j)(3), the Roadmaster Corporation, Olney, Illinois, shall not cause or permit the emission of volatile organic material from its existing black and white flowcoating operations to exceed a weekly average of 5.9 lb/gal; Roadmaster shall fulfill all of the following conditions:

1) Roadmaster shall contact at least three paint vendors each year in a continuing search for a compliant coating that it can successfully use in its existing flowcoating/oven operations, including any paint vendors suggested by the Agency in a writing delivered to Roadmaster by certified mail;

2) If any vendor provides Roadmaster with laboratory test results which demonstrate a substantial likelihood that Roadmaster might successfully use a paint in its existing flowcoater and oven, Roadmaster will conduct production tests of that paint;

3) Roadmaster will submit a report to the Agency by March 1 of each year that includes a summary of its efforts during the preceding calendar year, as those efforts relate to Roadmaster's compliance with the foregoing conditions contained in subsections (1) and (2), above;

4) If Roadmaster locates a compliant paint that it can successfully use in its existing flowcoating operations at a cost of less than \$100 per gallon (in July 1989 dollars), Roadmaster shall convert its present flowcoating operations to the use of that paint within 180 days after the final successful testing of such a paint; and

5) Subsection 215.206(d) shall expire on January 1, 1995, at which time Roadmaster shall comply with the provisions that generally apply to VOM emissions.

(Source: Amended at Ill. Reg. _____, effective _____)

1) Heading of the Part:

Minimum Sanitary Requirements for the Design and Operation of Swimming Pools and Bathing Beaches

2) Code Citation:

77 Ill. Adm. Code 820

3) Section Numbers:

820.210

Proposed Action:

Amendment

4) Statutory Authority:

Swimming Pool and Bathing Beach Act

Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1201 et seq.

5) A Complete Description of the Subjects and Issues Involved:

Section 820.210 is being amended to delete the rule which prohibits the use of cartridge filters on swimming pools with a volume of greater than 70,000 gallons.

This rulemaking should have no adverse economic impact. In addition, the Department should adopt this rulemaking within six to nine months.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☐ No ☒

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

10) Statement of Statewide Policy Objectives:

Please specify: The change is needed to reflect new technology in swimming pool filtration systems.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

July 10, 1989.

B) Type of Small Businesses Affected:

Swimming pools and bathing beaches.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No new procedures are required for compliance.

D) Types of Professional Skills Necessary for Compliance:

No new skills are needed for compliance.

The full text of the Proposed Amendments begins on the next page:

Section Numbers

Proposed Action

Ill. Reg. Citation

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTSTITLE 77: PUBLIC HEALTH
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER n: RECREATIONAL FACILITIESPART 320
ILLINOIS MINIMUM-SANITARY-REQUIREMENTS-FOR-THE-DESIGN-AND-
OPERATION-OF SWIMMING POOLS AND BATHING BEACHES CODE

SUBPART A: GENERAL

SECTION
820.10 Definitions
820.20 Incorporated Materials

SUBPART B: SWIMMING POOLS AND BATHING BEACHES

820.100 Permits
820.110 Water Supplies
820.120 Sewage Disposal
820.130 Food Service Sanitation

SUBPART C: SWIMMING POOL DESIGN REQUIREMENTS

820.200 General Design Requirements
820.210 Swimming Pool Water Treatment System
820.220 Swimming Pool Bather Preparation Facilities
820.230 Wading Pools
820.240 Spray Pools
820.250 Water Slides
820.260 New Equipment, Construction and Materials

SUBPART D: SWIMMING POOL OPERATIONAL REQUIREMENTS

820.300 Personnel
820.310 Safety Equipment
820.320 Water Quality
820.330 Swimming Pool Closing
820.340 Operation and Maintenance
820.350 Operation Reports and Routine Sampling
820.360 Personal Regulations
820.370 Swimming Suits and Towels Furnished by Management
820.380 Wading Pools and Spray Pools
820.390 Refuse Disposal

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SUBPART E: BATHING BEACH DESIGN AND OPERATION

820.500 Minimum Sanitary Requirements for Bathing Beaches

Appendix A Illustrations

Illustration A Slope of Pool Bottom
Illustration B Pool Walls
Illustration C General Pool Diving Area Dimensions
Illustration D Pools with Diving Facilities in Excess of Three Meters in Height
Illustration E Slide Dimensions
Illustration F Slide Position
Illustration G Flow Meter Installation
Illustration H Skimmer Construction
Illustration I Installation of a Pressure Sand Filter System
Illustration J Installation of a Pressure Diatomaceous Earth Filter System
Illustration K Installation of a Vacuum Filter System
Illustration L Chlorine Injection into Return Line to Pool Using Pump Discharge Pressure
Illustration M Chlorine Injection into Return Line to Pool Using External Water Source Pressure
Illustration N Chlorine Injection into Return Line to Pool Using Booster Pump

Appendix B Tables

Table A Dimensions of Swimming Pools with Diving Facilities in Excess of Three Meters in Height
Table B First Aid Kit Contents
Table C Flows Carried by Inlets
Table D Sizing Swimming Pool Chlorinators
Table E Shower, Lavatory and Toilet Fixtures Required per Bather Load

AUTHORITY: Implementing and authorized by the Swimming Pool and Bathing Beach Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1201 et seq.).

SOURCE: Adopted October 22, 1974; amended and effective February 9, 1976; amended at 4 Ill. Reg. 46, p. 1283, effective November 5, 1980; amended at 5 Ill. Reg. 9563, effective September 16, 1981; rules repealed and new rules adopted 5 Ill. Reg. 13623, effective December 2, 1981; amended and codified at 8 Ill. Reg. 12366, effective July 5, 1984, amended at 11 Ill. Reg. 12308, effective July 15, 1987; amended at 13 Ill. Reg. _____, effective _____.

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Section 820.210 Swimming Pool Water Treatment System

a) General. A water treatment system, consisting of pumps, piping, filters, water conditioning, disinfection equipment and other accessory equipment shall be provided to clarify, chemically balance and disinfect the swimming pool water.

b) Pumping Equipment

1) The recirculation pump and motor shall deliver the flow necessary to obtain the turnover required in Section 820.210(h). A valve for regulating the rate of flow shall be provided in the recirculation pump discharge piping.

2) The pump must be of sufficient capacity to provide a minimum backwash rate of 15 gallons per square foot of filter area per minute in sand filter systems. The pump or pumps shall supply the required recirculation rate of flow to obtain the turnover rate required at a total dynamic head of at least:

- A) 50 feet for all vacuum filters;
- B) 70 feet for pressure sand or cartridge filters; or
- C) 80 feet for pressure diatomaceous earth filters, unless lower or higher heads are shown by the designer to be hydraulically appropriate.

3) If the pump is located at an elevation higher than the pool water line, it shall be self-priming.

4) Where vacuum filters are used, a vacuum limit control shall be provided on the pump suction line. The vacuum limit switch shall be set for a maximum vacuum of 18 inches of Mercury.

5) A compound vacuum-pressure gauge shall be installed on the pump suction line. A vacuum gauge may be used for pumps with suction lift. A pressure gauge shall be installed on the pump discharge line adjacent to the pump.

6) Hair and Lint Strainer. A hair and lint strainer shall be installed on the suction side of the pump except on vacuum filter systems. The hair and lint strainer shall be cleanable without dismantling the equipment. Valves shall be installed adjacent to the strainer to allow the flow to be shut off during cleaning, switching baskets, or inspection.

c) Swimming Pool Water Heater. Pool water heaters shall be installed at

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all indoor pools. Where a swimming pool water heater is installed, the following shall apply:

1) A swimming pool water heater piping system shall be equipped with a bypass. A valve shall be provided at the bypass and on the influent and effluent heater piping. The influent and effluent heater piping shall be metallic.

2) A heating coil, pipe or steam hose shall not be installed in a swimming pool.

3) Thermometers shall be provided in the piping to check the temperature of the water returning from the pool and the temperature of the blended water returning to the pool.

4) An automatic temperature limiting device, which will prevent the introduction of water in excess of 100°F. to the pool, and thermostatic control shall be provided.

5) A pressure relief valve shall be provided and shall be piped to within 6 inches of the floor.

6) Venting of gas or other fuel burning water heaters shall be provided.

7) Heaters for indoor pools shall be capable of maintaining an overall pool water temperature between 76°F. and 84°F.

8) Combustion and ventilation air shall be provided for fuel burning water heaters as required by the heater manufacturer.

9) Heaters for indoor swimming pools shall be sized on a basis of 150 B.T.U.'s/hr. input per square foot of pool water surface area.

d) Flow Meter. A flow meter shall be located so that the rate of recirculation may be read. The flow meter shall be located so that the backwash rate of sand filters can be read. In a multiple pool system, flow meters shall be provided for each pool. Flow meters shall be installed on a straight length of pipe at a distance of at least 10 pipe diameters downstream and 5 pipe diameters upstream from any valve, elbow or other source of turbulence. (See Appendix A: Illustration G)

e) Vacuum Cleaning System.

1) A swimming pool vacuum cleaning system shall be provided. A pool vacuum cleaning system capable of reaching all parts of the

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pool bottom shall be provided.

- 2) A vacuum system may be provided which utilizes the attachment of a vacuum hose to the suction piping through the skimmer.
- 3) When the vacuum cleaning system is an integral part of the swimming pool recirculation system, a wall fitting shall be provided 3 to 12 inches below the normal water level. Piping from this connection shall be to the suction side of the pump ahead of the hair catcher, shall be at least 1 1/2 inches in diameter and be equipped with a control valve near the junction with the pump suction line. The size of the vacuum hose shall be at least 1 1/2 inches.
- 4) Automatic vacuum systems may be used provided they are capable of removing all debris from the pool bottom.

f) Piping, Skimmer and Overflow System.

1) Piping.

- A) Piping shall be in accordance with the material specifications in Exhibit G, Table D of the Illinois Plumbing Code. (77 Ill. Adm. Code 890. Exhibit G, Table D). Piping used in the pool recirculation system shall conform to the materials required for water service pipe or water distribution pipe as listed in 77 Ill. Adm. Code 890. Exhibit G - Table D, Footnotes E, F, G and H.
- B) The piping shall be designed to carry the required quantities of water at velocities not exceeding 5 feet per second in suction piping, and 10 feet per second in pressure piping, unless greater velocities can be hydraulically justified. Gravity piping shall be sized so that the head loss in piping, fittings, valves, etc., does not exceed the difference in water levels between the pool and the operating level in the surge or filter tank.
- C) The following waste lines shall be provided with 6 inch air gaps at their points of discharge to the waste sump or sewer:
 - i) Main drain bypass or other connections to waste.
 - ii) Sub-surface drains around a pool.
 - iii) Filter backwash or drain lines and overflow lines.

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- iv) Surge tank drain and overflow lines.
- v) Pump discharge to waste lines.
- vi) Gutter bypass to waste lines.
- vii) Deck drainage systems which involve decks which drain toward the pool.

2) Inlets.

- A) Each inlet shall be adjustable with regard to flow. Each inlet in pools with skimmers shall be directional.
- B) The velocity of flow through any inlet orifice shall be in the range of 5 to 20 feet per second, except in pools equipped with skimmers it shall be in the range of 10 to 20 feet per second. Velocities for various flows are shown in Appendix B: Table C.
- C) Inlets for filtered water shall be located and directed to produce uniform circulation of water, to facilitate the maintenance of a uniform disinfectant residual throughout the entire pool without the existence of dead spots, and shall produce surface flow patterns which effectively assist skimming. Inlets in pools with skimmers shall be 8" to 16" below the mid-point on the skimmer throat.
- D) Inlets shall be spaced as follows:
 - i) where the distance across the shallow portion of the pool is more than 15 feet, multiple inlets must be provided and spaced so that each inlet will serve a linear distance of no more than 8 feet in the shallow end wall;
 - ii) in pools with 1,500 square feet of surface area or less. Inlets shall be provided in the deep end and spaced so that each inlet will serve a linear distance of not more than 15 feet in the deep end wall; and
 - iii) in pools with a water surface area greater than 1,500 square feet or length in excess of 60 feet. Inlets shall be placed at no more than 15 feet, inlets shall be placed at no more than 15 foot intervals around the entire perimeter, except that inlets shall be spaced as indicated in Section 820.210(f)(2)(D) in the shallow end wall.

- E) At least one inlet shall be located in each recessed stairwell or other space where water circulation might be impaired.
- F) Where floor inlets are used, inlets shall be uniformly spaced at a distance of no greater than 20 feet apart and rows of inlets shall be within 15 feet of each side wall.
- G) A continuous flume, tubing or other arrangement near the pool water surface which serves as inlet supply piping and employs multiple "jet" inlets is approved provided the individual components of the system meet the requirements of Section 820.210(f)(2) and (f)(4).

3) Outlets.

- A) All pools shall be provided with a main drain at the deepest point to permit the pool to be completely and easily drained. Openings must be covered by a proper grating which is not removable by bathers without the use of tools, and which cannot entrap their fingers. Openings of the grating shall be at least four times the area of the main drain pipe or have sufficient area so that the maximum velocity of the water passing through the grate does not exceed 1 1/2 feet per second. The maximum width of grate openings shall be one-half inch.
- B) Multiple outlets shall be provided where the width of the pool is more than 45 feet. In such cases, outlets shall be spaced not less than 3 feet apart, nor more than 30 feet apart, nor more than 15 feet from side walls, and shall be connected in parallel, not series.
- C) A hydrostatic relief valve shall be provided for in-ground pools. Subsurface drainage, if provided, shall not be directly connected to a sewer.
- D) Main drain piping shall be sized for removal of the water through it at a rate of at least 100% of the design recirculation flow rate at velocities specified in Section 820.210(f)(1). The piping system shall be valued to permit adjustment of flow through it.
- E) In cases where the pool cannot be drained through the recirculation system, a portable pump and appurtenances which will effect complete pool drainage will be accepted.

4) Perimeter Overflow Systems.

- A) Swimming pools, other than pools designed and used exclusively for diving, which have a width exceeding 30 feet shall have a continuous perimeter overflow system.
- B) A perimeter overflow system shall:
 - i) extend completely around the pool;
 - ii) permit inspection, cleaning, and repair;
 - iii) be designed so that no ponding or retention of water occurs within any portion of the system;
 - iv) be designed to prevent the entrapment of bather's arms, legs, and feet.
 - v) have an overflow lip which is rounded, provides a good handhold, and is level within 0.2 inch;
 - vi) provide for the removal of all water and surface debris skimmed from the pool's surface;
 - vii) be designed for removal of water from the pool's upper surface at a rate of at least 100% of the design turnover flow rate. When the surge volume is to be stored in the perimeter overflow system, the system must have the capacity to carry 50% of the design flow while maintaining the surge storage capacity;
 - viii) discharge to the recirculation system;
 - ix) be provided with drains and piping which will not allow the overflow channel to become "flooded" when the pool is in normal use; and
 - x) have drain gratings with open area at least equal to two times the area of the outlet pipe and which can be removed for cleaning.
- C) Surge Capacity. All pools which have perimeter overflow systems shall be provided with a surge capacity of at least 0.6 gallon per square foot of pool water surface area. Surge capacity shall be provided either in a vacuum filter tank, in the perimeter overflow system, in the pool, or in a surge tank. Valving shall be provided where necessary, to automatically retain water during periods of pool use and to discharge water during periods of non-use such that the proper operating water level in the pool is maintained

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at all times.

- 5) Skimmers. Skimmers are permitted on pools whose width does not exceed 30 feet. Where skimmers are provided, the following shall be met:
 - A) At least one skimmer shall be provided for each 500 square feet of water surface area or fraction thereof, with a minimum of two skimmers provided at any pool;
 - B) Skimmers shall be so located to minimize interference with each other;
 - C) Each skimmer and piping shall be designed so that it is capable of providing a flow-through rate of not less than 30 gallons per minute;
 - D) Skimmers shall be piped in parallel;
 - E) The surface skimmer piping shall have a valve to permit adjustment of flow through it;
 - F) Each skimmer shall be provided with an equalizer line at least 1 1/2 inches in diameter, located at least 1 foot below the lowest overflow level of the skimmer; (See Appendix A: Illustration H)
 - G) The skimmer shall be approved in accordance with Standard 50 by the National Sanitation Foundation (N.S.F.). Standards used by N.S.F. to determine compliance are available for inspection at this Department.
 - H) Skimming devices shall be built into the pool wall.
 - I) A basket which can be removed without the use of tools and through which all overflow water must pass, shall be provided;
 - J) The skimmer shall be provided with a floating weir and shall operate at variations in water level over a range of at least 4 inches; and
 - K) Skimmer pools shall have a handhold consisting of a bull-nosed coping not over 2 1/2 inches thick for the outer 2 inches or an equivalent approved handhold as illustrated in Appendix A: Illustration H.
- g) Make-up Water. All pools shall be equipped for the addition of

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make-up water from a potable water source in accordance with one of the following:

- 1) Discharge through an air gap of at least 6 inches to the pool, to a surge tank, or a vacuum filter tank. When make-up water is added directly to the pool, the fill-spout shall be located under a low diving board or immediately adjacent to a ladder rail, grab rail, or lifeguard platform. When added to a surge tank or vacuum filter tank, the 6 inch air gap shall be measured above the invert elevation of an overflow pipe at least 3 inches in diameter.
 - 2) Through piping with vacuum breaker protection approved in the Illinois State Plumbing Code. (77 Ill. Adm. Code 890)
- h) Filtration.
- 1) General. Filters shall comply with the following:
 - A) All filters shall be approved in accordance with Standard 50 by the National Sanitation Foundation (N.S.F.). Standards used by N.S.F. to determine compliance are available for inspection at this Department.
 - B) Pressure filters shall have pressure gauges on the inlet and outlet piping.
 - C) Pressure filters shall have an observable free-fall, or a sight glass shall be installed on the backwash discharge line.
 - D) Pressure filters shall have a manual air-relief valve at the high point.
 - E) The filter backwash disposal facility shall have sufficient capacity to prevent flooding during the backwash cycle.
 - F) All filters shall be designed so that they can be completely drained. Filters shall be drained through a 6 inch gap to a sump or sewer.
 - 2) High Rate Sand Filters.
 - A) Turnover Rate. The turnover rate for high rate sand filters shall be as shown in the following table:
- | Type of Pool Diving Pools | Turnover Required
8 Hours or Less |
|---------------------------|--------------------------------------|
|---------------------------|--------------------------------------|

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Wading Pools
All Other Pools

2 Hours or Less
6 Hours or Less

B) Filtration Rate.

- i) After June 1, 1984 the design filtration rate shall be approved in accordance with Standard 50 by N.S.F. Prior to June 1, 1984 and where the filtration rate has not been listed by N.S.F., the filtration rate shall be a maximum of 15 gallons per minute per square foot of filter area.
- ii) The backwash rate shall be 15 gallons per minute per square foot. See Appendix A: Illustration I for approved method of installation.

3) Diatomaceous Earth Filters

- A) Turnover Rate. The turnover rate for diatomaceous earth filters shall be as shown in the following table:

Type of Pool	Turnover Required
Diving Pools	8 Hours or Less
Wading Pools	2 Hours or Less
All Other Pools	6 Hours or Less

- B) Filtration Rate. After June 1, 1984 the design filtration rate shall be approved in accordance with Standard 50 by N.S.F. Prior to June 1, 1984 and where the filtration rate has not been listed by N.S.F., the filtration rate shall not exceed 1 1/2 gallons per minute per square foot of filter area on diatomaceous earth filters, except that the rate of filtration may be increased to 2 gallons per minute per square foot of filter area when continuous feeding of diatomaceous earth is employed. The filtration rate for regenerative diatomaceous earth filters shall not exceed 2 gallons per minute per square foot of filter area. See Appendix A: Illustrations J and K for approved methods of installation.

- C) Filter Area. The determination of the filter area shall be made on the basis of measurements of the septum. Area allowance shall not be granted for folds in the septum fabric.

- D) Precoat Piping. A precoat pot shall be provided on the pump suction line for pressure diatomaceous earth systems. All diatomaceous earth filter systems shall have piping

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arranged to allow recycling of the filter effluent during precoating.

- E) Continuous Feed Rate. Where equipment is provided for the continuous feeding of diatomaceous earth to the filter influent, such equipment shall have a capacity to feed at least 1 1/2 ounces of this material per square foot of filter area per day.

- F) Piping. Overflow piping on vacuum diatomaceous earth filters shall be provided on the filter tank to discharge overflow water.

- G) Filter Cleaning. All filters shall be equipped for cleaning by one or more of the following methods: backwashing; air-bump-assist backwashing; spray wash (mechanical or manual); or agitation.

4) Vacuum Sand Filters.

- A) Turnover Rate. The turnover rate for vacuum sand filters shall be as shown in the following table:

Type of Pool	Turnover Required
Diving Pools	8 Hours or Less
Wading Pools	2 Hours or Less
All Other Pools	6 Hours or Less

- B) Filtration Rate. After June 1, 1984 the design filtration rate shall be approved in accordance with Standard 50 by N.S.F. The backwash rate shall be a 15 gallons per minute per square foot of filter area.

- C) Overflow. Overflow piping shall be provided in order to drain overflow water.

5) Cartridge Filters.

- A) Cartridge filters shall not be used on swimming pools larger than 70,000 gallons.

A)B) Turnover Rate.

Type of Pool	Turnover Required
Diving Pools	8 Hours or Less
Wading Pools	2 Hours or Less
All Other Pools	6 Hours or Less

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B)6) Filtration Rate. After June 1, 1984, the design filtration rate shall be approved in accordance with Standard 50 by N.S.F. for public pools. Prior to June 1, 1984 and where the filtration rate has not been listed by N.S.F., the filtration rate shall not exceed .375 gallons per minute per square foot.

C)1b) Duplicate Cartridges. A duplicate set of cartridges shall be provided.

j) Disinfectant and Chemical Feeders.

1) General. The minimum chemical feed equipment required at any pool shall include a unit for feed of a disinfectant except as stated in Section 820.210(i)(5).

2) Equipment Capacity.

A) Chlorine. Equipment for supplying chlorine or compounds of chlorine shall be of sufficient capacity so that it is possible to feed the chlorine at a rate of eight parts per million for outdoor pools and at three parts per million for indoor pools, based on the flow rate that would be necessary for a 2 hour turnover in wading pools and a 5 hour turnover in all other pools. Feed rates for various chlorinators and solutions are shown in Appendix B: Table D.

B) Bromine. Pot feeders for supplying bromo-chloro-dimethylhydantoin sticks shall contain at least 0.50 pounds of bromo-chloro-dimethylhydantoin per thousand gallons of pool capacity. The feeder shall have a method of feed rate adjustment.

C) Ozone.

i) Ozone may be used as a supplement to chlorination or bromination as required in Section 820.210(i)(2). No more than one gram per day of ozone per 10 gallons per minute of flow rate will be allowed.

ii) The ambient air ozone concentration shall be less than .05 parts per million (p.p.m.) at all times either in the vicinity of the ozonator or at the pool water surface.

3) Positive Displacement Pumps (Hypochlorinators). Where positive displacement pumps are used to inject the disinfectant solution

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into the recirculation line, they shall be of variable flow type and shall be of sufficient capacity to feed the amount of disinfectant required by Section 820.210(i)(2). If calcium hypochlorite is used, the concentration of calcium hypochlorite in the solution shall not exceed 5 percent. The solution container shall have a minimum capacity equal to the volume of solution required per day at the feed rate required in Section 820.210(i)(2).

4) Gas Chlorinators.

A) The chlorine supply and gas feeding equipment shall be housed in a separate, relatively air-tight room. The room shall be provided with an exhaust system which takes its suction not more than 3 inches from the floor and discharges out-of-doors in a direction to minimize exposure to toxic fumes. The fan shall be capable of producing one air change per minute. Means for introducing a fresh air supply to the enclosure through appropriate openings such as filters, grill openings, etc., at a high point opposite the exhaust fan intake shall be provided. The room shall have a window at least 18 inches square and shall have artificial lighting. Electrical switches for lighting and ventilation shall be outside and adjacent to the door. Scales for weighing chlorine cylinders in service shall be provided.

B) Chlorine cylinders either full or empty shall be anchored.

C) The chlorine feeding device shall be designed so that during interruptions of the flow of the water supply, gas feed is automatically terminated. In addition, the release of chlorine shall be terminated when the recirculation pump is shut off. Where other than swimming pool recirculated water is used, the supply line shall be equipped with an electric shutoff valve wired to the recirculation pump and shall be equipped with a suitable backflow preventer. (See Appendix A: Illustration L, M, and N for approved methods of installation.)

D) Chlorinator vent lines shall be conducted to the out-of-doors similar to the chlorinator room exhaust system.

E) The gas chlorinator shall be the solution feed type capable of delivering chlorine at its maximum rate without releasing chlorine gas to the atmosphere.

F) The water supply for the gas feeding equipment shall

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produce the flow rate and pressure required according to the manufacturer's specifications for proper operation of the equipment.

- G) A gas mask designed for use in a chlorine atmosphere shall be provided. A self-contained breathing apparatus may be provided instead of a gas mask. In the event of a chlorine leak, the fire department or an agency trained in the handling of chlorine spills, must be immediately contacted. The phone numbers of the fire department of the above agency must be posted on the outside of the chlorine room door.

- 5) pH Control Feeders. At swimming pools with a volume greater than 100,000 gallons, or at swimming pools utilizing gas chlorine as a disinfectant, a chemical feeder of positive displacement type shall be installed for the purpose of applying chemicals to maintain pH of pool water within the range of 7.2 to 7.6. A solution tank of at least 20 gallons capacity shall be provided and shall be marked as containing a chemical to control pH.

- 6) Erosion Type Chlorine Feeders.

- A) Erosion type chlorine feeders shall be approved in accordance with Standard 50 by the N.S.F.
- B) Where erosion type feeders are used only the chemical specified by the feeder manufacturer shall be used as the disinfecting agent.
- C) The rate of chlorine feed shall comply with Section 820.210(i)(2). The chemical compound and percent chlorine in the compound as well as the feeder flow capacity shall be specified.

- j) Testing Equipment.

- 1) A colorimetric test kit shall be provided which is a DPD (Diethyl-P-Phenylene Diamine) type kit or which will determine free disinfectant residual and pH of the pool water.
- 2) Where chlorine is used as a disinfectant a test kit shall be provided which includes at least 4 chlorine color standards and at least 5 pH color standards. Chlorine standards shall range from 0.5 to 2.0 parts per million (p.p.m.) and pH standards shall range from 7.0 to 8.0, as a minimum.

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- 3) Pools using chlorinated cyanurates for disinfection shall have a test kit to measure the cyanuric acid concentration. The cyanuric acid test kit shall permit readings in excess of 200 p.p.m. Where bromine is used as a disinfectant, a colorimetric test kit shall be provided which will determine free bromine residual and pH. Five bromine standards shall range from 0.1 to 2.0 p.p.m.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

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1) Heading of the Part:

Regionalized Perinatal Care

2) Code Citation:

77 Ill. Adm. Code 640

3) Section Numbers:

640.10
640.20
640.30
640.40
640.50
640.60
640.70
640.80

Proposed Action:

Repealer
Repealer
Repealer
Repealer
Repealer
Repealer
Repealer

4) Statutory Authority:

AN ACT relation to the prevention of developmental disabilities Ill. Rev. Stat. 1987, ch. 111 1/2, par. 2101 et seq.

5) A Complete Description of the Subjects and Issues Involved:

An extensive revision in the rules is being proposed as a complete new set of rules in this same issue of the Illinois Register. A complete description can be found in that set of rules.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☐ No ☒

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

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If Yes:Section NumbersProposed ActionIll. Reg. Citation10) Statement of Statewide Policy Objectives:

Please specify: The current rules were necessary to implement provisions constituted in Chapter 111 1/2, Paragraph 2101 et seq.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

July 18, 1989.

B) Type of Small Businesses Affected:

Hospitals licensed to provide maternity and newborn services.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

Completion of Maternal Discharge Record and Report of Local Health Nurse, Infant and Maternal - Postnatal.

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- D) Types of Professional Skills Necessary for Compliance:
Professional medical, nursing and allied health care personnel.
The full text of the Repealer begins on the next page:

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NOTICE OF PROPOSED REPEALERTITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: MATERNAL AND CHILD HEALTHPART 640
REGIONALIZED PERINATAL CARESECTION
640.10 Scope
640.20 Definitions
640.30 Advisory Committee for Perinatal Health
640.40 Standards for Perinatal Care
640.50 Designation of Level I and Level II Perinatal Units
640.60 Preliminary Information for Facility Designation as Level I or Level II Perinatal Units and Assurances Required of Applicants
640.70 Minimum Components for Letters of Agreements Between Level I or Level II Perinatal Units and Their Level III Perinatal Center
640.80 Regional Networks for Perinatal Services - Composition and Funding

AUTHORITY: Implementing and authorized by "AN ACT relating to the prevention of developmental disabilities" (Ill. Rev. Stat. 1983, ch. 111 1/2, pars. 2101 et seq.).

SOURCE: Adopted at 5 Ill. Reg. 6463, effective June 5, 1981; amended at 6 Ill. Reg. 3871, effective March 29, 1982; emergency amendment at 8 Ill. Reg. 882, effective January 5, 1984, for a maximum of 150 days; amended and codified at 8 Ill. Reg. 19493, effective October 1, 1984; amended at 9 Ill. Reg. 2310, effective February 15, 1985; amended at 10 Ill. Reg. 5141, effective April 1, 1986; amended at 11 Ill. Reg. 1584, effective February 1, 1987.

NOTE: Capitalization denotes statutory language.

Section 640.10 Scope

The "Plan for the Administration of a Statewide Program of Regionalized Perinatal Care" is designed to coordinate and facilitate the use of ongoing efforts and existing resources in Illinois to improve perinatal health and to prevent perinatal mortality and conditions leading to developmental disabilities.

Section 640.20 Definitions

"Advisory Committee for Perinatal Health" or "Perinatal Advisory Committee" or "PAC" means the advisory and planning committee

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established by the Department which is referred to in Section 3 of an Act relating to The Prevention of Developmental Disabilities (Ill. Rev. Stat. 1983, ch. 111 1/2, par. 2101).

"Bioethical Review Committee" means a hospital-based consultative group consisting of physicians and nonphysicians which can provide education, develop and recommend institutional policies, and offer consultation to providers and families facing a range of ethical problems or questions about the medical treatment of infants.

"CONGENITAL" MEANS THOSE INTRAUTERINE FACTORS WHICH INFLUENCE THE GROWTH, DEVELOPMENT AND FUNCTION OF THE FETUS AND NEONATE.

"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH.

"Designation" means that the facility has been officially recognized by the Director of the Department as having met the standards contained in this Part for the level of service that the hospital will provide as a part of a regional perinatal network for all levels of perinatal services. Levels of perinatal care range from the care appropriate for the normal, uncomplicated maternity or neonatal patient (Level I) to the care appropriate for the maternity or neonatal patient with serious, possibly life-threatening conditions (Level III).

"DEVELOPMENTAL DISABILITY" MEANS MENTAL RETARDATION, CEREBRAL PALSY, EPILEPSY, OR OTHER NEUROLOGICAL HANDICAPPING CONDITIONS OF AN INFANT FOUND TO BE CLOSELY RELATED TO MENTAL RETARDATION OR TO REQUIRE TREATMENT SIMILAR TO THAT REQUIRED BY MENTALLY RETARDED INDIVIDUALS, AND THE DISABILITY ORIGINATES BEFORE SUCH INDIVIDUAL ATTAINS AGE 18, AND HAS CONTINUED INDEFINITELY AND CONSTITUTES A SUBSTANTIAL HANDICAP OF SUCH INDIVIDUAL.

"DISABILITY" MEANS A CONDITION CHARACTERIZED BY TEMPORARY OR PERMANENT, PARTIAL OR COMPLETE IMPAIRMENT OF PHYSICAL, MENTAL OR PSYCHOLOGICAL FUNCTION.

"ENVIRONMENTAL" MEANS THOSE EXTRAUTERINE FACTORS WHICH INFLUENCE THE ADAPTATION, WELL-BEING OR LIFE OF THE NEONATE AND MAY LEAD TO DISABILITY.

"Family Centered Care" means the services of the health team that foster parent-newborn-family relationships such as those described in American College of Obstetricians and Gynecologists, Family Center Maternity/Newborn Care in Hospitals, 1978 and American Academy of Pediatrics and American College of Obstetricians and Gynecologists, Guidelines for Perinatal Care, 1983.

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"Handicapping Condition" means a medically recognized birth defect that threatens life or has a potential for a developmental disability.

"HIGH RISK" MEANS AN INCREASED LEVEL OF RISK OF HARM OR MORTALITY TO THE WOMAN OF CHILDBEARING AGE, FETUS OR NEONATE FROM CONGENITAL AND/OR ENVIRONMENTAL FACTORS.

"Maternity or Neonatal Complications" means those medically determined high risk conditions including but not limited to those explained in the Guidelines for Perinatal Care, American Academy of Pediatrics and American College of Obstetricians and Gynecologists (1983).

"Maternity Service Plan" means the description required under Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) of the hospital's services for care of maternity and neonatal patients, and the way in which the services are part of an integrated system of perinatal care provided by designated perinatal facilities.

"Neonate" means an infant less than 28 days of age.

"PERINATAL" MEANS THE PERIOD OF TIME BETWEEN THE CONCEPTION OF AN INFANT AND THE END OF THE FIRST MONTH OF LIFE.

"PERINATAL CENTER" MEANS A REFERRAL FACILITY CAPABLE OF PROVIDING THE HIGHEST LEVEL OF CARE APPROPRIATE TO THE HIGH RISK PATIENT BEFORE, DURING AND AFTER LABOR AND DELIVERY AND CHARACTERIZED BY AVAILABILITY OF PERSONNEL, EQUIPMENT, LABORATORY, TRANSPORTATION, TECHNIQUES, AND RESOURCES, CONSULTATIONS AND OTHER SUPPORT SERVICES.

"Regional Network for Perinatal Services" means an integrated system of perinatal care services provided by designated perinatal centers and their affiliated facilities and providers of care.

"Support Services" means the provision of current information regarding the identified handicapping condition(s), referral and counselling services, and the availability of additional consultative services.

Section 640.30 Advisory Committee for Perinatal Health

- a) The Advisory Committee for Perinatal Health shall consist of 22 members appointed by the Director. Members shall serve for four year terms. Membership on the committee shall include ten physicians licensed to practice medicine in all its branches, three hospital administrators or representatives of hospital associations, two registered professional nurses, one social worker, one nutritionist,

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one respiratory therapist all active in the provision of perinatal care, two consumers or representatives of the consumer public, one health planner, and one representative of a local health department.

- b) The physicians shall be selected from recommendations made by the Illinois State Medical Society, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Section of the American College of Obstetrics and Gynecology, and the Illinois Chapter of the American Academy of Family Practice, along with two clinical directors of perinatal units. The hospital administrators shall be selected from recommendations provided by the Illinois Hospital Association and the Chicago Hospital Council. Recommendations for the nurses, social worker, nutritionist, respiratory therapists, and health planner shall be solicited from the Illinois Nurses Association and the Nurses Section of the American College of Obstetrics and Gynecology, the Association of Hospital Social Work Directors, the Illinois Nutrition Council, the Illinois Society for Respiratory Therapy, Illinois Dietetics Association and the Illinois Association of Health Systems Agencies.

c) Duties of the Advisory Committee for Perinatal Health shall be:

- 1) To review and comment on all proposed rules and regulations affecting the provision of perinatal health care;
 - 2) To advise the Department on health policies affecting perinatal care services and implementation of the State's Perinatal Plan;
 - 3) To review applications and make recommendations to the Department on facilities seeking designation as Level I, II or III Perinatal Units as described in Sections 640.40 through 640.70; and
 - 4) To assist the Department in updating the State's Perinatal Plan.
- d) Membership of the Advisory Committee shall be selected to be representative of the levels of perinatal care described in Section 640.40, as well as of the different settings in which perinatal care is provided, both geographic and institutional. A Chairperson shall be elected by a majority of the members and shall serve for two years. The committee shall elect such other officers and appoint such subcommittees as are deemed necessary. The committee shall meet at least twice each year at the call of the Department, the Chairperson, or five members.

Section 640.40 Standards for Perinatal Care

There shall be three levels of perinatal care: Level I or general care;

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Level II or intermediate care; and Level III or intensive care. Minimum licensing standards for all three levels are described in Subpart O of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) promulgated by the Department. Additional criteria for designation of hospital perinatal units as Perinatal Centers (Level III) and affiliated perinatal units (Level I or general care and Level II or intermediate care) in regional networks for perinatal are as follows:

- a) Any designated facility which fails to comply with the requirements for its designation may have its designation revoked by the Department. The circumstances under which said designation may be revoked include when failure to comply with the requirements for designation has been noted by the Department, and when the institution has been notified by the Department as to the specific item or items not in compliance with the requirements for designation, and when the institution has not corrected the matter within a reasonable period of time (generally 90 days). The provisions of the Illinois Administrative Procedures Act and the Department's Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100) shall apply to revocation proceedings.
- b) Affiliated Perinatal Units (Level I and Level II). To be designated as an affiliated perinatal unit, a facility shall apply to the Department as described in this Part and shall comply with all the conditions described in Subpart O of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) promulgated by the Department which are applicable to the level of care necessary for the patients served, and in addition shall comply with these further requirements:
 - 1) For Level II designation: Social work services shall be available through a hospital department and continuous electronic maternal/fetal monitoring shall be available, with staff knowledgeable in its use and interpretation available at all times.
 - 2) For both Level I and Level II designation: Level I and Level II designation facilities shall institute a plan for early identification of high risk maternity and neonatal patients which includes agreements for consultation with the Regional Perinatal Center (Level III facility). These agreements shall cover those neonates born with a developmental disability or handicapping condition which threatens life or has the potential for a developmental disability and shall also include plans for prompt consultation with the regional Perinatal Center in cases of maternity or neonatal complications. Such consultations shall occur upon the identification of the complications by the attending physician. The services management plan of the

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Maternity Services Plan shall include letters of agreement between the Perinatal Center and its affiliated perinatal units regarding consultation, conditions or developmental disabilities which indicate transfer, plans and agreements for managing acute surgical and cardiac difficulties, for managing those neonates born with handicapping conditions, for managing high risk pregnancies, for genetic counseling, and for INFORMATION, REFERRAL AND COUNSELING SERVICES (Ill. Rev. Stat. 1983, ch. 111 1/2, par. 2103(h) and (i)) for families of neonates born with a handicapping condition or for a high risk mother or her spouse and for continuing education of staff in perinatal care including family centered care for neonates with handicapping conditions. (Section 640.70 describes the minimum components for such affiliation agreements.)

- c) Intensive Perinatal Care Centers (Level III). To be designated as a Level III Perinatal Center a facility shall apply to the Department for designation, and shall comply with all of the conditions described for Intensive (Level III) perinatal care in Part XV, and in addition shall comply with these further requirements:

- 1) Each perinatal center shall serve an area or region with approximately 16,000 live births per year.
- 2) A unit shall be situated in a hospital which is a principal site for teaching clinical perinatal care.
- 3) The unit shall provide general, intermediate and intensive care both to mothers and newborn infants.
- 4) The unit shall provide a broad range of technical and subspecialty consultative support to general and intermediate care services of that hospital and affiliated Level I and Level II perinatal units to provide or arrange for cardiac and neurosurgery specialty care and genetics counseling services. It is recommended that perinatal centers and their affiliated perinatal units have a system in place to grant temporary staff privileges for referring physicians.
- 5) The unit shall maintain 24 hour per day communication capabilities with affiliated Level I and Level II perinatal units in its perinatal service area for the purpose of:

- A) specialty and subspecialty consultation and advice for physicians regarding the further management of the potential or actual high risk obstetric patient prenatally;
- B) consultation and advice regarding support services;

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- C) transfer of the high risk intrapartum and newborn patient, as well as support services for families of neonates born with handicapping conditions or developmental disabilities that do not require transport;

- D) full laboratory facilities for the evaluation and coordination of maternal/fetal well-being for all antepartum patients in the region; and

- E) coordination of obstetric and neonatal activities and services.

- 6) The unit shall be responsible for provision of a program of continuing education for medical, nursing and other staff providing general and intermediate care perinatal services.

- 7) Each unit shall assume responsibility for assisting the affiliated Level I and Level II perinatal units within its designated region in such matters as establishing, maintaining and upgrading the care delivered by that unit, for establishing methods for assessing quality of care, for establishing methods for review of all perinatal deaths as well as reviews of the births of children born with handicapping conditions or developmental disabilities that threaten life or development, utilizing criteria of case selection developed by such hospitals or maternity centers, or the appropriate medical staff committee(s) thereof in order to determine the appropriateness of diagnosis and treatment and the adequacy of procedure to prevent such disabilities or loss of life (Ill. Rev. Stat. 1983, ch. 111 1/2, par. 2103(g)); and establishing and maintaining uniform methods of statistical reporting all perinatal deaths and births of children with handicapping conditions or developmental disabilities to the Department.

- 8) The unit shall accept all medically eligible Illinois residents. Medical eligibility is to be determined by the obstetrical or neonatal director or his designee based on the Department's standards for "Criteria for High Risk Identification." If the unit is unable to accept the patient referred because of bed unavailability or lack of the most appropriate highly specialized resource, the unit shall arrange for admission to another Level III unit.

- 9) The unit shall provide or arrange emergency transportation of patients referred to the unit. Decisions relating to transportation shall be made by the Perinatal Center clinical director or his designee. The director shall determine:

A) When to dispatch transportation from the unit or to use transportation facilities from the referring hospital.

B) When to use ground or air transportation.

C) The kind of vehicle to be used.

D) The staff who should accompany the patient (nurse, house staff, attending physician, respiratory therapist, or other related personnel) assuring that the staff selected is trained and prepared in emergency obstetrics or neonatology. The unit shall provide any staff attendants required to transport the patient when the trip is dispatched from the unit. Upon arrival at the referring hospital, the transporting staff attendant(s) shall become responsible for the care of the patient.

E) Whether transportation can be delayed.

F) Priorities of need.

G) Recommendations for support care to stabilize the patient until transport.

10) The unit shall provide the following services:

A) Administrative direction-neonatal: approval of all neonatal admissions to the neonatal portion of the program by the director of neonatal activities who shall possess qualifications of Section 640.40(c)(14) below.

B) Administrative direction/obstetrics: approval of all maternal admissions to the obstetric portion of the program by the chief of obstetric services who shall possess the qualifications of Section 640.40(c)(14) below.

C) Attending physician services: this includes the services of physicians approved by the hospital's governing board with the concurrence of the Perinatal Center medical directors who shall provide attending physician care for patients admitted to the unit for intensive care. Attending physician care is defined as day-to-day care and case management by a pediatrician for infants or by an obstetrician for mothers.

D) Education of health professionals: This includes educational services provided in accordance with the plan of the unit for health professionals including hospitals

and community health agencies. The unit shall have available a team to provide consultation visits to hospitals providing general and intermediate (Level I and Level II) perinatal care within the service area to assist community hospitals and health professionals in upgrading perinatal care.

E) Reporting program information: the unit shall provide data relating to its activities and report information as required by the Department. Admission data, mortality, morbidity and other required data shall be reported on all admissions to this unit whether or not the Department program contributes to payment for such care.

11) The unit shall have a clearly identifiable telephone number, either a special number or a specific extension answered by unit personnel for receiving consultation requests and requests for admissions to the Perinatal Center. This number shall be kept current with the Department and with affiliated Level I and Level II units.

12) Communications with referring physicians of patients admitted shall be sufficient to report patient progress before and at time of discharge.

13) The unit shall designate a person to coordinate the community nursing follow-up referral process. This process shall consist of notifying the follow-up nurse in whose jurisdiction the patient resides of admission and discharge information on all patients. The Department shall identify and update referral resources for the area served by the unit. Each unit shall have letters of agreement with the agencies upon which they depend for follow-up nursing care.

14) The obstetric activities of the Level III unit shall be directed by a full-time obstetrician/gynecologist certified by the American Board of Obstetrics and Gynecology, and certified by the subspecialty Board of Fetal and Maternal Medicine. The neonatal activities of the perinatal center unit shall be directed by a full-time pediatrician eligible for certification or certified by the American Board of Pediatrics subspecialty Board of Neonatal-Perinatal Medicine. Obstetric anesthesia services under the supervision of Board certified anesthesiologist with special training in maternal, fetal and neonatal anesthesia shall be available 24 hours a day. The directors of the obstetric and neonatal services shall ensure the competent back-up supervision of their services when they are unavailable so that there will be continuity of patient care

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and consultation. The names and qualifications of directors in each of these disciplines shall be filed and kept current with the Department.

- 15) One or more medical social workers shall be available to the Level III unit with time allocation based on the size of the unit and the characteristics and needs of the patient population.
- d) The Department shall develop and promulgate projections for perinatal care bed needs within perinatal service areas in conjunction with the local health systems agencies. These projections shall be based on such considerations as the proportion of high risk pregnancies and deliveries within those regions, as well as average lengths of stay for mothers and newborns requiring special care.
- e) Standards and requirements with regard to bed occupancy and population need are further described in Chapter 3 of the Illinois Health Facilities Plan, Rule 3.04.H, effective April 15, 1983.

Section 640.50 Designation of Level I and Level II Perinatal Units

- a) The facility shall declare by means of a letter of intent to the Department that it seeks designation as a facility for the delivery of intermediate perinatal care (Level II) or general perinatal care (Level I) in one of the regionalized perinatal networks of the Illinois Perinatal Care Program.
- b) The Department shall acknowledge the letter of intent.
- c) By copy of the acknowledgement, the Department shall notify the Chairman of the Advisory Committee for Perinatal Health and the appropriate regional Perinatal Center clinical directors of the intent. This letter of acknowledgement shall also contain:
 - 1) Advice to the facility that the clinical directors of the regional Perinatal Center and the Department staff or its designees will conduct a site visit to the facility for review and recommendations for achieving capability to deliver a general or intermediate level of perinatal care for mothers and newborns, and to negotiate a letter of agreement with the facility.
 - 2) An attachment requesting specific information describing the capability of the facility to provide Level I or Level II perinatal care for maternity and newborn patients, and listing the components to be addressed in the letter of agreement between the applicant facility and the Level III facility. (See Sections 640.60 and 640.70). If all of the required information

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is contained in the facility's Maternity Services Plan, this document can be submitted for this requirement.

- d) The Department shall arrange a site visit to the applicant facility in conjunction with the medical director of the appropriate Perinatal Center. The site visit team shall review the capabilities of the applicant facility to comply with the requirements in the Plan for a Statewide Program of Regionalized Perinatal Care, and may assist in the development of a letter of agreement between the applicant facility and its Level III Perinatal Center. The Department shall develop a report of the site visit and submit it to the medical directors of both the hospital visited and the perinatal center for their review and comment. The site visit report shall then be forwarded to the Department.
- e) The Department having received the information requested concerning the applicant hospital, the report of the site visit and the letter of agreement between the applicant facility and the Level III Perinatal Center, shall submit this material to the Perinatal Advisory Committee for review. The applicant facility may request to appear or may be asked to appear before the Perinatal Advisory Committee during its review of the application.
- f) When the information described in Section 640.60 is submitted to the Perinatal Advisory Committee, it shall review the material, the report of the site visit, and the letters of agreement for compliance with the Perinatal Program Plan, and shall make a recommendation for approval or disapproval of the facility's application for designation to the Department.
- g) The Department shall review the submitted materials and the recommendation of Perinatal Advisory Committee, and shall make a recommendation to the Director of Public Health concerning designation of the facility as an affiliated perinatal unit (Level I or Level II) to a designated perinatal center in the Statewide Regionalized Perinatal Care Program. The recommendation shall be based upon the facility's compliance with the Plan for a Statewide Program for Regionalized Perinatal Care.
- h) The Director of Public Health shall make the final decision and inform the facility of the official determination regarding designation. The Director's decision shall be based upon the facility's compliance with the Plan for a Statewide Program for Regionalized Perinatal Care, and may be appealed in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings.
- i) All designations shall be reviewed by the Department every three

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years to assure that the designated facilities continue to comply with the requirements of the Perinatal Plan. The review process may include submission and review of the Maternity Services Plan of the designated facilities and/or site visits to the facilities.

Section 640.60 Preliminary Information for Facility Designation as Level I or Level II Perinatal Units and Assurances Required of Applicants

Applicant facilities shall provide the following information:

- a) A definition of the geographic area the facility currently and/or plans to serve is required.
- b) A description of the physical facility is required, providing adequate detail to demonstrate compliance with Part XV of the Hospital Licensing Requirements, and a description of the maternity and nursery units now in place or in preparation for operation should the facility be designated.
- c) A description of the unit's staffing is required, demonstrating that staffing shall meet all the conditions described in Part XV, and with those additional standards for designation described in the Plan for a Statewide Program of Regionalized Perinatal Care as follows:

- 1) Social work services shall be available through a hospital department for Level II designation.
- 2) Names and addresses shall be provided of the Director or Chairman of the Obstetrics, Pediatrics, and Neonatal Services; Chief Nursing Supervisor, Nursing Supervisor of Maternity Unit; listing and number of medical staff members in obstetrics and gynecology, pediatrics, neonatology, family practice, anesthesiology; listing of all physicians providing primary care for obstetric patients; listing of anesthesiologists, staff for respiratory therapy, and involved house staff.
- 3) A description of the current nurse/patient ratios in the nursery, delivery room, postpartum floor, and proposed intermediate or intensive care newborn nurseries for all shifts shall be provided.
- 4) A description of the qualifications of nursing personnel involved in the newborn nursery, delivery room and postpartum area shall be provided.
- 5) A description of the staffing plans to assure that maternity/nursery staff are adequately trained and prepared to stabilize infants prior to transfer, and are available 24 hours

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shall be provided.

- d) A description is required giving evidence that the unit's equipment, laboratory and x-ray capabilities meet all the conditions described in Part XV and are available 24 hours in-house. Evidence that continuous electronic maternal/fetal monitoring is available and with staff knowledgeable in its use and interpretation available 24 hours for Level II designation applicants is required. A description of the facility's current capabilities regarding 24 hour fetal monitoring, laboratory, x-ray and respiratory therapy services shall be provided.
- e) A description is required of the capabilities for or planned for emergency neonatal surgery, listing specialists such as surgeons, trained or support staff for neonates, and a description of the capabilities for caesarean section and mean start-up time.
- f) A description of the present plan for identification of high risk maternity and neonatal patients and agreements for consultation with the Level III Perinatal Center in cases of maternity and neonatal complications and neonates with handicapping conditions shall be provided. The description shall include plans and agreements for providing:
 - 1) Management Of acute surgical or cardiac difficulties;
 - 2) Genetic counseling should a genetically related condition be diagnosed in the neonate, or should a parent or a known carrier request such services;
 - 3) Information, counseling and referral of parents of neonates with handicapping conditions or developmental disabilities to ensure informed consent for treatment;
 - 4) Counseling and referral services to assist these patients in obtaining habilitation and rehabilitation services.
 - 5) A description of the types of patients the facility will care for and the types of patients it will refer to the Level III Perinatal Center.
- g) The following background information is required:
 - 1) The number of livebirths for each of the past three years, as well as an explanation of any anticipated increase or decrease in the number in future years shall be provided.
 - 2) The number of maternity transfers during the previous calendar

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year, hospitals to which patients were transferred, and conditions for which the patients were transferred shall be provided.

- 3) The number of obstetrical beds and the number of nursery beds shall be provided.
- 4) The number of intermediate care beds requested to be designated for intermediate care of neonates shall be provided.
- 5) Return this information to the Illinois Department of Public Health, 535 West Jefferson, Springfield, Illinois 62761.

Section 640.70 Minimum Components for Letters of Agreements Between Level I or Level II Perinatal Units and Their Level III Perinatal Center

The following components at a minimum shall be addressed in a letter of agreement between the applicant facility and the Level III Perinatal Center:

- a) A description of how maternal and neonatal patients with problems, including handicapping conditions or developmental disabilities, will be identified.
- b) A description of the types of maternal and neonatal cases in which consultation from the Level III Perinatal Center will be sought and from which patients will be selected for transfer shall be provided. This description shall address those high risk mothers or neonates with:
 - 1) Handicapping conditions or developmental disabilities that are life threatening and require transport to a regional perinatal center.
 - 2) Handicapping conditions or developmental disabilities that may require additional medical or surgical treatment and support services, but would not, however, require transport to a regional perinatal center.
- c) A description of how Level III Perinatal Center will report patients' progress to the referring physicians, and the criteria for return of patients from the Perinatal Center to an affiliated unit closer to the patient's home shall be provided.
- d) A description of the methods for transporting high risk mothers and neonates with appropriate physiological support in transit shall be provided.
- e) A description of the information, counseling and referral services

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available within the local community and the regional network for parents or potential parents of neonates with handicapping conditions or developmental disabilities.

- f) A description of the professional educational outreach program for the regional network, including how efforts will be coordinated shall be provided.
- g) A provision requiring the establishment of a Joint Mortality and Morbidity Review Committee to review all perinatal deaths and selected morbidity. The review shall include the births of children born with handicapping conditions or developmental disabilities, utilizing criteria of case selection developed by the Committee TO DETERMINE THE APPROPRIATENESS OF DIAGNOSIS AND TREATMENT OF NEONATES BORN WITH A HANDICAPPING CONDITION OR DEVELOPMENTAL DISABILITY AND THE ADEQUACY OF PROCEDURES TO PREVENT SUCH DISABILITIES OR THE LOSS OF LIFE (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 2103(g). This review shall include a periodic comparison of total perinatal mortality and the relative numbers attributable to various categories of complications. Membership on the Committee shall include pediatrician(s), obstetrician(s) and representation of their designated Level III Perinatal Center. Membership on the Committee may also include general family practitioners, with specified support staff of the hospital.
- h) A description of the perinatal network's program for medical and home nursing follow-up describing systems of liaisons shall be provided with a letter of agreement from the agency providing the home nursing follow-up services.
- i) A description of the monitoring and evaluation methodologies and identification of data needs which would be helpful if supplied by the Level III Perinatal Center or the Division of Family Health shall be provided.
- j) A stipulation requiring the provision of information, counseling and referral services to parents or potential parents of neonates with handicapping conditions or developmental disabilities upon the identification of the handicapping conditions or developmental disabilities to assist in obtaining habilitation, rehabilitation, and special education services.
- k) A provision requiring prompt referral of neonates with handicapping conditions or developmental disabilities within 24 hours of the identification of the conditions.
- l) A provision requiring the establishment of procedures for referral to appropriate state and local education service agencies of children

having an identified handicapping condition or developmental disability requiring evaluation and assessment under such agencies. The procedures shall include a provision for obtaining parental consent prior to release of information to the appropriate state and local education service agencies.

Section 640.80 Regional Networks for Perinatal Services - Composition and Funding

- a) Regional networks for perinatal services, as defined in Section 640.20, may include any number and combination of hospital-based maternity and newborn units functioning at one of the three levels of perinatal care according to policies and practices described in their letters of agreement. Where more than one Level III Perinatal Center provides services within a regional network, letters of agreement shall describe how each will participate in the provision of services included in Section 640.40(c) of this Part. Such networks shall also include other agencies, institutions and individuals providing a complete range of perinatal care services including preconceptional, prenatal, perinatal and family follow-up care services as part of the regional network.

- b) The Department may allocate funds for perinatal care services provided through regional networks for perinatal services.

- 1) Sections 630.30 through 630.70 of the Department's "Program Content and Guidelines for Maternal and Child Health Services" (77 Ill. Adm. Code 630) describes categories of maternal and child health services project activity that are eligible for funding. Requirements for Maternal and Child Health (MCH) Project grant applications are included in 77 Ill. Adm. Code 630.80 through 630.200.

- 2) Funds available to the Department for funding of regional networks for perinatal services may be awarded under the following mechanisms:

- 3) The Department may provide grants to regional networks for perinatal services acting through a regional perinatal management group representing all participants in the regional network for perinatal services, including providers of preconceptional, prenatal, and family follow-up care, as well as providers of hospital-based perinatal care services. In this option the "regional network for perinatal services" is the applicant for MCH Project funds and will apply as specified in 77 Ill. Adm. Code 630 and this Plan.

- 4) Grant applications by regional networks for perinatal services may include services and responsibilities assigned to Level III Perinatal Centers in Section 640.40(c) of this Part in addition to the perinatal care services included in 77 Ill. Adm. Code 630.30 through 630.70.
- 5) The Department may reimburse Level III Perinatal Centers, providers of high risk services at Level III Perinatal Centers and health care agencies providing follow-up services where no local health department exists through contracts developed directly with these agencies, institutions and individuals for costs incurred in providing perinatal care services.
- 6) Requirements for Level III Perinatal Centers are included in Section 640.40(c) of this Part and include standards for medical eligibility for services.
- c) Financial participation by families of medically eligible patients is determined by use of a formula based upon Bureau of Labor Statistics information which takes into account location of residence, family size, age of oldest child, age of head of household and income. Reimbursement procedures for costs of care to medically and financially eligible families are described in 77 Ill. Adm. Code 630.20(d).

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8. parents and families are provided information, referral and counseling services to assist in obtaining habilitation, rehabilitation and special education services for children born with a handicapping condition or developmental disability, so that such children have an opportunity to realize full potential

9. medical consultation when indicated is provided for and available.

Section 640.50 describes the procedures and requirements regarding the designation of hospitals or perinatal facilities by level of care. Section 640.60 describes the information and assurances required of hospitals or perinatal facilities applying for designation or redesignation. Section 640.70 describes the minimum components or criteria for letters of agreement between Level I or Level II or Level III perinatal facilities and their Perinatal Centers. The letter of agreement is the mechanism for linking hospitals or perinatal facilities into an organized and coordinated perinatal delivery system. Moreover, the letter of agreement serves to operationalize the standards of perinatal care described in Sections 640.40 through 640.50. Section 640.80 describes the methodology for allocating funds to support regional perinatal programs and services. Section 640.90 and Section 640.100 describe the requirement and procedure for identification of high-risk maternal and infant patients for local health nursing follow-up.

The proposed rules may have no new economic effect on the regulated public. The Department anticipates the proposed rulemaking will become effective approximately six to nine months from the date of publication as proposed in the Illinois Register.

- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

- 7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify the date: _____

- 8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☒ No ☐

If "yes," please specify type: 6.02(a) ☒ or 6.02(b) _____

- 9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

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Section Numbers Proposed Action Ill. Reg. Citation

- 10) Statement of Statewide Policy Objectives:

Please specify: The proposed rules are necessary to implement provisions constituted in Illinois Public Act 78-557, Chapter 111 1/2, Paragraph 2101 et seq. regarding the development and implementation of a statewide system of regionalized perinatal health care.

- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

Date, Time and Location of Public Hearing:

TIME: 1:30 PM

DATE: August 28, 1989

Ground Floor Hearing Room

Illinois Department of Public Health

525 West Jefferson

Springfield, Illinois 62761

TIME: 10:30 AM

DATE: August 31, 1989

Illinois Hospital Association

1151 East Warrenville Road

Naperville, Illinois 60566

Other Pertinent Information:

The hearings will be for the sole purpose of gathering public comment on the proposed rules. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

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1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony shall be accepted without such written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen (15) minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as he/she deems necessary.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

July 18, 1989.

B) Type of Small Businesses Affected:

Hospitals licensed to provide maternity and newborn services.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

Completion of Maternal Discharge Record and Report of Local Health Nurse, Infant and Maternal-Postnatal.

D) Types of Professional Skills Necessary for Compliance:

Professional medical, nursing and allied health care personnel.

The full text of the Proposed Rules begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: MATERNAL AND CHILD HEALTH
PART 640
REGIONALIZED PERINATAL HEALTH CARE CODE

SECTION	
640.10	Scope
640.20	Definitions
640.25	Incorporated Materials
640.30	Perinatal Advisory Committee
640.40	Standards for Perinatal Care
640.41	Level I - Standards for Perinatal Care
640.42	Level II - Standards for Perinatal Care
640.43	Level III - Standards for Perinatal Care
640.44	Perinatal Center
640.45	Agency Action
640.50	Designation and Redesignation of Level I, Level II, and Level III Perinatal Facilities
640.60	Information for Facility Designation and Redesignation as Level I, Level II, and Level III Perinatal Facilities and Assurances Required of Applicants
640.70	Minimum Components for Letters of Agreements Between Level I, Level II, Level III Perinatal Facilities and Their Perinatal Center
640.80	Regional Perinatal Networks Services - Composition and Funding
640.90	Perinatal Tracking System
640.100	High-Risk Follow-up Program
Appendix A	Standardized Perinatal Site Visit Protocol
Appendix B	Outcome Oriented Data: Perinatal Facility Designation/Redesignation
Appendix C	Maternal Discharge Record
Appendix D	Instructions for Completing Maternal Discharge Record
Appendix E	Report of Local Health Nurse, Maternal-Postnatal
Appendix F	Instructions for Completing the Report of Local Health Nurse, Maternal-Postnatal
Appendix G	Report of Local Health Nurse, Maternal-Postnatal
Appendix H	Instructions for Completing the Report of Local Health Nurse, Maternal-Postnatal
Appendix I	Report of Local Health Nurse, Infant
Appendix J	Instructions for Completing the Report of Local Health Nurse, Infant
Appendix K	Sample Letter of Agreement

AUTHORITY: Implementing and authorized by "AN ACT relating to the prevention of developmental disabilities" (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 2101 et seq.).

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SOURCE: Adopted at 5 Ill. Reg. 6463, effective June 5, 1981; amended at 6 Ill. Reg. 3871, effective March 29, 1982; emergency amendment at 8 Ill. Reg. 882, effective January 5, 1984, for a maximum of 150 days; amended and codified at 8 Ill. Reg. 19493, effective October 1, 1984; amended at 9 Ill. Reg. 2310, effective February 15, 1985; amended at 10 Ill. Reg. 5141, effective April 1, 1986; amended at 11 Ill. Reg. 1584, effective February 1, 1987; repealed and adopted at 13 Ill. Reg. ___, effective ____.

NOTE: Capitalization denotes statutory language.

Section 640.10 Scope

The "Regionalized Perinatal Health Care Code" is designed to coordinate and facilitate the use of ongoing efforts and existing resources in Illinois to improve perinatal health and to prevent perinatal mortality and conditions leading to developmental disabilities.

Section 640.20 Definitions

"Act" means AN ACT relating to the prevention of developmental disabilities (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 2101 et seq.).

"Bioethical or Infant Care Review Committee" means a hospital-based consultative group consisting of physicians and nonphysicians which can provide education, develop and recommend institutional policies, and offer consultation to providers and families facing a range of ethical problems or questions about the medical treatment of infants.

"Certified Local Health Department" means a local health department which receives program approval from the Department for all ten required basic health programs during required program and performance review.

"CONGENITAL" MEANS THOSE INTRAUTERINE FACTORS WHICH INFLUENCE THE GROWTH, DEVELOPMENT AND FUNCTION OF THE FETUS. (Section 2(b) of the Act)

"Consultation" means an attending physician obtaining information from a Level III or Perinatal Center via the telephone, in writing, or in person for the purpose of making patient care decisions.

"DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH. (Section 2(h) of the Act)

"Designation: means official recognition of a hospital facility by the Director of the Department as having met the standards contained in Section 640.40 and Section 640.50 for the level of care that the hospital will provide as a part of a regional perinatal network for

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all levels of perinatal care.

"Designated Local Health Agency" means an agency designated by the Department to provide maternal, infant, and family follow-up services to residents of a particular area. In areas served by a Certified Local Health Department, that department is the Designated Local Health Agency. For areas not served by a Certified Local Health Department, the designated Local Health Agency is a Certified Local Health Department for another county which has a contract with the Department to provide maternal, infant, and family follow-up services within the area or a county nurse or community nurse agency which has a contract with the Department to provide maternal, infant, and family follow-up services within the area.

"DEVELOPMENTAL DISABILITY" MEANS MENTAL RETARDATION, CEREBRAL PALSY, EPILEPSY, OR OTHER NEUROLOGICAL HANDICAPPING CONDITIONS OF AN INDIVIDUAL FOUND TO BE CLOSELY RELATED TO MENTAL RETARDATION OR TO REQUIRE TREATMENT SIMILAR TO THAT REQUIRED BY MENTALLY RETARDED INDIVIDUALS, AND THE DISABILITY ORIGINATES BEFORE SUCH INDIVIDUAL ATTAINS AGE 18, AND HAS CONTINUED, OR CAN BE EXPECTED TO CONTINUE INDEFINITELY, AND CONSTITUTES A SUBSTANTIAL HANDICAP OF SUCH INDIVIDUALS. (Section 2(f) of the Act.)

"DISABILITY" MEANS A CONDITION CHARACTERIZED BY TEMPORARY OR PERMANENT, PARTIAL OR COMPLETE IMPAIRMENT OF PHYSICAL, MENTAL OR PSYCHOLOGICAL FUNCTION. (Section 2(g) of the Act.)

"ENVIRONMENTAL" MEANS THOSE EXTRAUTERINE FACTORS WHICH INFLUENCE THE ADAPTATION, WELL BEING OR LIFE OF THE NEWBORN AND MAY LEAD TO DISABILITY.

"Family Centered Care" means the services of the health team that foster parent-newborn-family relationships such as those described in American College of Obstetricians and Gynecologists, Family Center Maternity/Newborn Care in Hospitals, and American Academy of Pediatrics and American College of Obstetricians and Gynecologists, Guidelines for Perinatal Care.

"Handicapping Condition" means a medically recognized birth defect that threatens life or has a potential for a developmental disability in accordance with Subpart C of the Health and Hazardous Substances Registry Code (77 Ill. Adm. Code 840.210).

"High-Risk Infant" means a live-born infant fitting the Adverse Pregnancy Outcomes Reporting System (APORS) case definition. (See 77 Ill. Adm. Code 840.210)

"HIGH RISK" MEANS AN INCREASED LEVEL OF RISK OF HARM OR MORTALITY TO

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THE WOMAN OF CHILDBEARING AGE, FETUS OR NEWBORN FROM CONGENITAL AND/OR ENVIRONMENT FACTORS. (Section 2(d) of the Act)

"Maternity or Neonatal Complications" means those medically determined high-risk conditions including but not limited to those explained in the Guidelines for Perinatal Care, American Academy of Pediatrics and American College of Obstetricians and Gynecologists.

"Maternity and Neonatal Service Plan" means the description required under Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) of the hospital's services for care of maternity and neonatal patients, and the way in which the services are part of an integrated system of perinatal care provided by designated perinatal facilities.

"Neonate" means an infant less than 28 days of age.

"PERINATAL" MEANS THE PERIOD OF TIME BETWEEN THE CONCEPTION OF AN INFANT AND THE END OF THE FIRST MONTH OF LIFE. (Section 2(a) of the Act)

"Perinatal Advisory Committee" or "PAC" means the advisory and planning committee established by the Department which is referred to in Section 3 of the Act.

"PERINATAL CENTER" MEANS A REFERRAL FACILITY INTENDED TO CARE FOR THE HIGH-RISK PATIENT BEFORE, DURING OR AFTER LABOR AND DELIVERY AND CHARACTERIZED BY SOPHISTICATION AND AVAILABILITY OF PERSONNEL, EQUIPMENT, LABORATORY, TRANSPORTATION TECHNIQUES, CONSULTATION AND OTHER SUPPORT SERVICES. (Section 2(e) of the Act)

"Reactions, Skills and Abilities for Developmental Screening (RSA)" is an objective observation guide used to conduct developmental screening in children.

"Regional Perinatal Management Group" means an organization of representatives of perinatal services, providers and service related agencies and organizations within a regional perinatal network that is responsible for the planning, development, evaluation and operation of the network and the establishment of regional priorities and policies for system support activities and staff.

"Regional Perinatal Network" means any number and combination of hospital-based maternity and newborn facilities functioning at one of three levels of perinatal care.

"Support Services" means the provision of current information

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regarding the identified handicapping condition(s), referral and counseling services, and the availability of additional consultative services.

Section 640.25 Incorporated Materials

The following regulations, standards and statutes are incorporated or referenced in this Part.

a) State of Illinois Statutes:

- 1) AN ACT relating to the prevention of developmental disabilities (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 2101). (See Section 640.20).
- 2) Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.). (See Section 640.90 (e)(1) and (3)).
- 3) Illinois Health Statistics Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 5601 et seq.). (See Section 640.90(e)(2)).
- 4) Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.). (See Section 640.90(e)(2)).
- 5) Section 8-2101 of the Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, par. 8-2101 et seq.). (See Section 640.90(b)(3), (e)(1) and (2)).
- 6) State Records Act (Ill. Rev. Stat. 1987, ch. 116, par. 43.4 et seq.). (See Section 640.90(e)(1)).

b) State of Illinois Regulations

- 1) Health and Hazardous Substances Registry (77 Ill. Adm. Code 840). (See Sections 640.20, definition of "Handicapped Condition", 640.41 (c)(3), 640.90 (c)(1)).
- 2) Hospital Licensing Requirements (77 Ill. Adm. Code 250). (See Sections 640.20 definition of "Maternity and Neonatal Service Plan", 640.40, 640.41, 640.42, 640.43).
- 3) Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100). (See Sections 640.45 (b)).
- 4) Maternal and Child Health Services Code (77 Ill. Adm. Code 630). (See Sections 640.80 (b)).
- 5) Freedom of Information (2 Ill. Adm. Code 1126). (See Section

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640.90 (e)(3)).

c) Standards or Guidelines

- 1) Family Center Maternity/Newborn Care in Hospitals, American College of Obstetricians and Gynecologists (1978) (409 12th Street, SW, Washington, DC 20024). (See Sections 640.20, definition of "Family Centered Care")
- 2) Guidelines for Perinatal Care, American Academy of Pediatrics and American College of Obstetricians and Gynecologists (1988) (AAP, 141 Northwest Point Road, P.O. 927, Elk Grove Village, Illinois 60204). (See Sections 640.20, definition of "Family Centered Care," and "Maternity or Neonatal Complications", and (Section 640.43(d)(2)(3)c);
- 3) Fundamental Statistics in Psychology and Education, Guilford and Fruchter (1978) New York McGraw-Hill. (See Section 640.80 (b)(3)(E))
- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

Section 640.30 Perinatal Advisory Committee

- a) The Perinatal Advisory Committee is an advisory body to the Department in matters pertaining to the regionalization of perinatal health care. The purpose is to advise the Department on the establishment and implementation of policy.
- b) The duties of the Perinatal Advisory Committee shall be to advise the Department on and make recommendations concerning:
 - 1) health policies affecting perinatal health care services and implementation of the State's perinatal health care plan;
 - 2) the needs of perinatal health care providers and consumers;
 - 3) methods to seek a better understanding and wider support of regionalized perinatal health care within the local community;
 - 4) coordinating and organizing regional networks or systems of perinatal health care;
 - 5) policies relating to planning, operating and maintaining regional networks or systems of perinatal health care;

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- 6) all proposed rules affecting the provision of perinatal health care services under the Act; and
 - 7) maternity hospitals seeking designation or redesignation as described in Sections 640.40 through 640.70.
- c) The Perinatal Advisory Committee shall consist of 22 members appointed by the Director of the Department and six ex-officio members as follows:

- 1) Members
 - A) Ten licensed physicians;
 - B) Three hospital administrators;
 - C) Two registered nurses;
 - D) One licensed social worker;
 - E) One registered dietitian;
 - F) One registered respiratory therapist;
 - G) One health planner;
 - H) Two consumers or representatives of the general public interested in perinatal health care;
 - I) One representative of a local health department;
- 2) Ex-Officio Members
 - A) One representative of the Perinatal Association of Illinois;
 - B) One representative of the Perinatal Centers of Illinois;
 - C) One representative of the Consortium of Perinatal Network Administrators;
 - D) One representative of the Chicago Department of Public Health;
 - E) One representative of the Chicago Maternal and Child Health Advisory Committee of the Chicago Department of Health;
 - F) One representative of the Genetic and Metabolic Diseases Advisory Committee of the Department.

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- d) Physician membership on the Perinatal Advisory Committee shall consist of four obstetrician-gynecologists, to include subspecialist in maternal/fetal medicine, four pediatricians, to include subspecialist in neonatal/perinatal medicine, and two family practice physicians.
- e) Recommendations for physicians shall be solicited from the Illinois State Medical Society, the Illinois Section of the American College of Obstetricians and Gynecologists, the Illinois Chapter of the American Academy of Pediatrics, and the Illinois Chapter of the American Academy of Family Practice. Recommendations for hospital administrators shall be solicited from the Illinois Hospital Association. Recommendations for nurses shall be solicited from the Illinois Nurses Association, the Illinois Nurses Section of the American College of Obstetricians and Gynecologists, and the American College of Nurse-Midwives. Recommendations for social worker, dietitian and respiratory therapist shall be solicited from the Illinois Perinatal Social Work Association, the Illinois Dietetics Association and the Illinois Society of Respiratory Care. Recommendations for representative of a local health department shall be solicited from the Illinois Public Health Association.
- f) Membership of the Perinatal Advisory Committee shall be selected to be representative of the levels of perinatal care described in Section 640.40, as well as of the different settings in which perinatal care is provided, both geographic and institutional.
- g) Members of the Perinatal Advisory Committee shall serve four year terms. Ex-Officio members shall have no set term of service. Both members and ex-officio members shall have full voting privileges.

Section 640.40 Standards For Perinatal Care

Within each regional perinatal network there shall be three levels of perinatal care: Level I or general care; Level II or intermediate care; and Level III or intensive care. Minimum licensing standards for all three levels are described in Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250). All hospitals providing obstetrical and neonatal services shall be designated in accordance with the provisions of this Part and a letter of agreement (Section 640.70) with a designated Perinatal Center (Section 640.70 describes the minimum components for the letter of agreement).

Section 640.41 Level I - Standards for Perinatal Care

Level I: To be designated as Level I, a facility shall apply to the Department as described in Section 640.60 this Part and comply with all the conditions described in Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) which are applicable to the level of care necessary for

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the patients served, and in addition shall comply with the following:

a) General Provisions

- 1) A plan for early identification of high-risk maternity and neonatal patients which includes agreements for consultation with the Perinatal Center shall be instituted. This agreement shall cover high-risk pregnant women and those neonates born with a developmental disability or handicapping condition which threatens life or has the potential for a developmental disability and shall also include plans for prompt consultation with a Level III or Perinatal Center in cases of maternity or neonatal complications. Such consultation shall occur upon the identification of the complications by the attending physician. The Maternity and Neonatal Service Plan of the facility shall include a letter of agreement between the facility and its Perinatal Center regarding consultation, conditions or developmental disabilities which indicate transfer, plans and agreements for managing acute surgical and cardiac difficulties, for managing those neonates born with handicapping conditions, for managing high-risk pregnancies, for genetic counseling, and for information, referral and counseling services for families of neonates born with a handicapping condition or for a high-risk mother or her spouse and for continuing education of staff in perinatal care including family centered care for neonates with handicapping conditions. (Section 640.70 describes the minimum components for the letter of agreement.)

- 2) The critical considerations in the care of patients anticipating delivery in these hospitals are as follows:

- A) the earliest possible detection of the high-risk pregnancy (risk assessment) and consultation with a Level III or Perinatal Center, and possible transfer to a Level II, Level III, or Perinatal Center and
- B) the availability of trained personnel and facilities to provide competent emergency obstetric and newborn care. Included in the functions of this facility are the stabilization of patients with unexpected problems, initiation of neonatal and maternal transports, patient and community education, and data collection and evaluation.

b) Level I - Standards for Maternal Care

- 1) The maternal patient with an uncomplicated current pregnancy and no previous history suggestive of potential difficulties is considered appropriate for Level I facilities.

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- 2) All maternal patients other than those identified in Subsection 640.41 (b)(1) above constitute potentially high-risk conditions of which Level III or Perinatal Center consultation by the attending physician is recommended. The Level I facilities' letter of agreement with its Perinatal Center shall specifically identify whether treatment, consultation or transfer will be done for each of the following conditions:

A) Previous Pregnancy Problems:

- i) Premature Infant
- ii) Perinatal death or mental retardation
- iii) Isoimmunization
- iv) Difficult deliveries
- v) Congenital malformations
- vi) Mid-trimester loss

B) Current Pregnancy Problems:

- i) Any medical disorder (e.g. Diabetes mellitus, hemoglobinopathy, chronic hypertension, heart disease, renal disease)
- ii) Drug addiction
- iii) Multiple gestation
- iv) Intrauterine growth retardation
- v) Preterm labor less than or equal to 36 weeks
- vi) Postdate greater than or equal to 42 weeks
- vii) Third trimester bleeding
- viii) Abnormal genetic evaluation
- ix) Pregnancy Induced hypertension

c) Level I - Standards for Neonatal Care

- 1) The neonatal patients greater than 36 weeks gestation or greater than 2500 grams without risk factors and infants

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with physiologic jaundice are generally considered appropriate for Level I facilities, however, the facilities' letter of agreement must establish the specific conditions for Level I facilities.

- 2) All neonatal patients other than those identified in Subsection 640.41(c)(1) above constitute neonatal conditions for which Level III or Perinatal Center consultation by the attending physician is recommended. The Level I facilities' letter of agreement with its Perinatal Center shall specifically identify whether treatment, consultation, or transfer will be done for each of the following conditions;

- A) Gestation less than or equal to 36 weeks, weight less than or equal to 2500 grams
- B) Small-for-gestational age (less than 10th percentile)
- C) Sepsis
- D) Seizures
- E) Congenital heart disease
- F) Multiple congenital anomalies
- G) Apnea
- H) Respiratory distress
- I) Neonatal asphyxia
- J) Infants identified as having handicapping conditions or developmental disabilities which threaten life or subsequent development
- K) Severe anemia
- L) Hyperbilirubinemia, not due to physiologic cause
- M) Polycythemia

Specifics must be detailed in the letter of agreement.

- 3) A system of recording patient admissions, discharges, birth weight, outcome, complications, and transports must be maintained and be consistent with that of the Perinatal Center. The hospital shall comply with the reporting requirements of

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the Adverse Pregnancy Outcomes Reporting System (77 Ill. Adm. Code 840).

d) Level I - Support Services

The following support services shall be available:

- 1) Capability for continuous electronic maternal-fetal monitoring for patients identified at risk with staff knowledgeable in its use and interpretation at all times.
- 2) Blood bank technicians on call and available within 30 minutes for performance of routine blood banking procedures.
- 3) General anesthesia on call and available within 30 minutes to initiate caesarean sections.
- 4) Caesarean section capability within 30 minutes.
- 5) Radiology service available within 30 minutes notice.
- 6) Clinical laboratory shall include microtechnique for hematocrit within 15 minutes; glucose, BUN, creatinine, blood gases, routine urinalysis in 1 hour; CBC, routine blood chemistries, type, cross, Coombs' test, and bacterial smear within 6 hours; and capability for bacterial culture and sensitivity and viral culture.
- 7) A physician for the program shall be designated to assume primary responsibility for initiating, supervising and reviewing the plan for management of depressed infants in the delivery room. Responsibility for identification and resuscitation of distressed neonates shall be assigned to an individual who is both specifically trained and immediately available in the hospital at all times, such as another physician, a nurse with training and experience in labor and delivery, or respiratory therapist. Individuals qualified to perform neonatal resuscitation shall include the following skills:
 - A) Skills in rapid and accurate evaluation of the newborn condition, including Apgar scoring.
 - B) Knowledge of pathogenesis and causes of a low Apgar score (asphyxia, drugs, hypovolemia, trauma, anomalies, and infection), as well as specific indications for resuscitation.

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- C) Skills in airway management, artificial ventilation, suctioning of airway, cardiac massage and maintenance of thermal stability. In addition, skills in laryngoscopy, endotracheal intubation, biochemical resuscitation, and decompression of tension pneumothorax by needle aspiration under medical supervision.

e) Exceptions to Level I Standards of Care

- 1) Exceptions to these standards of care set in this Section may be necessary based on patient care needs in the regional network. Any exception to the above standards regarding consultation with and transfer to a Level III or Perinatal Center must be defined in the letter of agreement. Hospitals may seek the advice and consultation of the Department if an impasse is reached with the Perinatal Center in defining the components of the letters of agreement. However, no exceptions to these standards of care shall be granted in the letters of agreement for the following:
 - A) Premature labor or premature birth less than or equal to 36 weeks gestation.
 - B) Weight less than or equal to 2500 grams

Section 640.42 Level II - Standards for Perinatal Care

Level II: To be designated as Level II, a facility shall apply to the Department as described in Section 640.60 this Part and comply with all the conditions described in Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) promulgated by the Department which are applicable to the level of care necessary for the patients served, and in addition shall comply with the following:

a) General Provisions

- 1) A Level II facility is to provide all services outlined for Level I (Section 640.41(a)) as well as diagnosis and treatment of selected high-risk pregnancies and neonatal problems. Both the obstetrical service and the neonatal service must achieve Level II capability for Level II designation. Included in the functions of this facility are education of allied health professionals and acceptance of selected maternal-fetal and neonatal transports from Level I or other Level II hospitals after consultation with the Perinatal Center as identified in the Level II facilities' letters of agreement.
 - 2) A system for recording patient admissions, discharges, birth

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weight, outcome, complications, and transports must be maintained and should be consistent with that of the Perinatal Center. The hospital must comply with the requirements of the Adverse Pregnancy Outcomes Reporting System. (77 Ill. Adm. Code 840)

b) Level II - Standards for Maternal Care

- 1) The following maternal patients are considered appropriate for Level II facilities:

- A) Those listed for Level I (See Section 640.41 (b)(1));
- B) Normal current pregnancy although previous history may be suggestive of potential difficulties;
- C) Selected medical conditions such as mild hypertension, thyroid disease;
- D) Selected obstetric complications such as pre-eclampsia or premature labor greater than 34 weeks;
- E) Incompetent cervical os.

- 2) For the following maternal conditions Level III or Perinatal Center consultation by the attending physician is recommended. The Level II facilities' letter of agreement with its Perinatal Center shall specifically identify whether treatment, consultation or transfer will be done for each of the following:

- A) Patients for consultations (possible later transfer) with maternal-fetal medicine consultant:
 - i) Essential hypertension on medications;
 - ii) Chronic renal disease;
 - iii) Other chronic medical problems with known increase in perinatal mortality;
 - iv) Prior birth of a neonate with serious complications resulting in a handicapping condition;
 - v) Abnormalities of the reproductive tract known to be associated with an increase in preterm delivery.
- B) For the following maternal conditions maternal transfer for prenatal care is recommended:

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- 1) Patients from the above consultation list, which are deemed advisable by mutual collaboration between the maternal-fetal medicine attending at a Level III facility and obstetrician at referring office or hospital;
 - ii) Isimmunization with possible need for intrauterine transfusion;
 - iii) Suspected congenital anomaly compatible with life;
 - iv) Insulin-dependent diabetes mellitus;
 - v) Cardiopulmonary disease with functional impairment;
 - vi) Multiple gestation with exception of twins;
 - vii) Premature labor prior to 34 weeks;
 - viii) Premature rupture of membranes prior to 34 weeks;
 - ix) Medical and obstetrical complications of pregnancy, possibly requiring induction or caesarean section for maternal or fetal conditions prior to 34 weeks;
 - x) Severe pre-eclampsia or eclampsia.
- c) Level II - Standards for Neonatal Care
- 1) The following neonatal patients are considered appropriate for Level II facilities:
 - A) Those listed for Level I. (See Section 640.41 (b)(1))
 - B) Mild to moderate respiratory distress (not requiring mechanical ventilation in excess of 6 hours).
 - C) Suspected neonatal sepsis, hypoglycemia, neonates of diabetic mothers, and post-asphyxia without life threatening sequelae.
 - D) Nursery care of premature infants (greater than 1800 grams) who are otherwise well.
 - 2) For the following neonatal conditions Level III or Perinatal Center consultation by the attending physician is recommended. The Level II facilities' letter of agreement with its Perinatal Center shall specifically identify whether treatment,

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consultation or transfer will be done for each of the following:

- A) Gestation less than 34 weeks or less than 1800 grams;
- B) Sepsis unresponsive to therapy;
- C) Seizures;
- D) Congenital heart disease;
- E) Major congenital malformations requiring surgery;
- F) Infants requiring ventilation after initial stabilization (greater than 6 hours);
- G) Infants with oxygen requirement in excess of 50%;
- H) Infants with Apgar scores of 5 or less at 5 minutes;
- I) All patients requiring major surgery;
- J) Infants requiring exchange transfusion;
- K) Persistent metabolic derangement (e.g., hypocalcemia, hypoglycemia, metabolic acidosis);
- L) Infants identified as having handicapping conditions or developmental disabilities which threaten life or subsequent development.

d) Level II - Support Services

Support services shall include all those listed for Level I (Section 640.40 (a)(8) as well as the following:

- 1) Experienced blood bank technicians immediately available in hospital for blood banking procedures and identification of irregular antibodies. Blood component therapy readily available.
- 2) Experienced radiology technicians immediately available in the hospital with professional interpretation available. Ultrasound capability available 24 hr/day.
- 3) Clinical laboratory shall include microtechnique blood gases in 15 minutes, electrolytes and coagulation studies within an hour.
- 4) Social work services provided by a licensed social worker shall be available through the hospital social work department.

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- 5) Protocols for discharge planning, routine follow-up care, and developmental follow-up must be established.
 - 6) General anesthesia on call available within 30 minutes to initiate caesarean section.
 - 7) Respiratory therapy with experience in neonatal care shall be available.
 - 8) One registered dietitian with experience in perinatal nutrition shall be available to plan diets to meet the needs of mothers and infants.
- e) Exceptions to Level II - Standards of Care
- 1) Exceptions to these standards of care set forth in this Section may be necessary based on patient care needs within the regional perinatal network. Any exception to the above standards regarding consultation with and transfer to a Level III or Perinatal Center must be defined in the letter of agreement. However, exceptions to these standards of care shall not be granted in the letter of agreement, unless reviewed and approved by the Department, for the following:

- A) Premature labor or premature birth less than or equal to 32 weeks gestation
- B) Birthweight less than or equal to 1250 grams
- C) Mechanical ventilation beyond the initial stabilization period (6 hours)

- 2) The Department shall grant exceptions to these provisions of this Part when the facility requesting an exception demonstrates to the Department that standards and quality of care established for any Level III facility in their Regional Perinatal Network are substantially equivalent for: Staffing, Equipment, Facilities.

- 3) Only after this approval has been granted may the exception be included in the letter of agreement with the Perinatal Center. Hospitals may seek the advice and consultation of the Department if an impasse is reached with the Perinatal Center in defining the components of the letter of agreement.

Section 640.43 Level III - Standards For Perinatal Care

Level III: To be designated as Level III, a facility shall apply to the

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Department for designation, and shall comply with all of the conditions described for intensive (Level III) perinatal care in this Part and shall comply with all the conditions described in Subpart 0 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) promulgated by the Department which are applicable to the level of care necessary for the patients served, and in addition shall comply with the following:

a) General Provisions

- 1) A Level III facility shall provide all services outlined for Level I and II (640.40(a) and 640.42(a)), intermediate and intensive care as well as diagnosis and treatment of high-risk pregnancy and neonatal problems. Both the obstetrical and neonatal services must achieve Level III capability for Level III designation and must provide for the education of allied health professionals and acceptance of selected maternal-fetal and neonatal transports from Level I or II facilities after consultation with the Perinatal Center.
- 2) The Level III facility shall make available a range of technical and subspecialty consultative support such as ophthalmology, pediatric surgery, genetic services, intensive cardiac services and intensive neurosurgical services.

b) Level III - Standards of Care

- 1) To qualify as a Level III facility the following minimum criteria are necessary to ensure adequate competence in the management of certain high-risk patients. These criteria will be assessed by reviewing each hospital's number of admissions, which include patients that are subsequently transferred, for the two most recent calendar years combined, for which data are available.
- 2) To care for premature birth, greater than or equal to 24 weeks gestation and less than or equal to 30 weeks gestation, the facility must demonstrate that its annual number of admissions which have led to premature birth and which include such patients that are subsequently transferred, exceeds 20 based on the number of admissions for the two most recent calendar years combined, for which data are available.
- 3) To care for infants with a birth weight greater than or equal to 500 grams and less than or equal to 1250 grams, the facility must demonstrate that its annual number of such admissions, which include patients that are subsequently transferred, exceeds 20 based on the number of admissions for the two most recent calendar years combined, for which data are available.

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- 4) To provide for mechanical ventilation beyond the initial stabilization period (6 hours), the facility must demonstrate that its annual number of neonatal mechanical ventilation days exceeds 423 based on the number of admissions for the two most recent calendar years combined, for which data are available.
- c) Level III - Support Services
 - 1) The Level III facility shall be responsible for provision of a program of continuing education for medical, nursing and other staff providing general and intermediate care perinatal services.
 - 2) The Level III facility shall accept all medically eligible Illinois residents. Medical eligibility is to be determined by the obstetrical or neonatal director or their designee based on the Department's standards for "Criteria for High-Risk Identification (Guidelines for Perinatal Care, American Academy of Pediatrics and American College of Obstetricians and Gynecologists)." If the facility is unable to accept the patient referred, the unit shall arrange for admission to another Level III facility or appropriate Level II facility.
 - 3) The Level III facility shall provide or arrange emergency transportation of patients referred to the unit in accordance with guidelines for interhospital care of the perinatal patient (Guidelines for Perinatal Care, American Academy of Pediatrics and American College of Obstetricians and Gynecologists). Decisions relating to transportation shall be made by the appropriate neonatal or obstetric medical director or their designee. The director shall determine:
 - A) When to dispatch transportation from the facility or to use transportation facilities from the referring hospital;
 - B) When to use ground or air transportation;
 - C) The kind of vehicle to be used;
 - D) The staff who should accompany the patient (nurse, house staff, attending physician, respiratory therapist, or other related personnel) assuring that the staff selected is trained and prepared in emergency obstetrics or neonatology. The facility shall provide any staff attendants required to transport the patient when the trip is dispatched from the facility. Upon arrival at the referring hospital, the transporting staff attendant(s) shall become responsible for the care of the patient;

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- E) Whether transportation can be delayed;
 - F) Priorities of need;
 - G) Recommendations for support care to stabilize the patient until transport.
- 4) Medical director-neonatal: approval of all neonatal admission to the neonatal portion of the program by the director of neonatal activities who shall possess qualifications of Section 640.40.
 - 5) Medical director-obstetrics: approval of all maternal admissions to the obstetric portion of the program by the chief of obstetric services who shall possess the qualifications of Section 640.40.
 - 6) Administrative director: the services of a health services administrator/manager to direct, in collaboration with the medical directors, the planning, development and operations of the non-medical aspects of the facility and its programs and services.
 - 7) Continuing education for health professionals.
 - 8) Reporting program information: the Level III facility shall provide data relating to its activities and report information as required by the Department. Admission data, mortality, morbidity and other required data shall be reported on all admissions to this unit. This will include full compliance with the Adverse Pregnancy Outcomes Reporting System and the Perinatal Tracking System.
 - 9) The Level III facility shall have a clearly identifiable telephone number, either a special number or a specific extension answered by unit personnel for receiving consultation requests and request for admissions. This number shall be kept current with the Department and with the regional perinatal network.
 - 10) Communications with referring physicians of patients admitted shall be sufficient to report patient progress before and at time of discharge.
- d) Level III - Personnel Qualifications
 - 1) The Level III facility shall designate a person to coordinate the community nursing follow-up referral process. This process

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- shall consist of notifying the follow-up nurse, in whose jurisdiction the patient resides, of discharge information on all patients. The Department shall identify and update referral resources for the area served by the unit.
 - 2) Level III obstetric activities shall be directed by a full-time subspecialty obstetrician certified by the American Board of Obstetrics and Gynecology in the subspecialty of Maternal and Fetal Medicine. Neonatal activities shall be directed by a full-time pediatrician certified by the American Board of Pediatrics Sub-Board of Neonatal/Perinatal Medicine. Obstetric anesthesia services under the supervision of Board certified anesthesiologist with training in maternal, fetal and neonatal anesthesia shall be available 24 hours a day. The directors of the obstetric and neonatal services shall ensure the back-up supervision of their services when they are unavailable so that there will be continuity of patient care and consultation. The names and qualifications of directors in each of these disciplines shall be filed and kept current with the Department.
 - 3) The obstetric-newborn nursing services shall be directed by a full-time nurse experienced in perinatal nursing preferably with a master's degree.
 - 4) One or more licensed social workers shall be available to the Level III facility with time allocation based on the size of the unit and characteristics and needs of the patient population.
 - 5) Respiratory therapists with experience in neonatal care should be available with staffing based on the respiratory care requirements of the patient population (minimum of 1 respiratory therapist for every 4 patients on mechanical ventilators with additional staff provided as necessary to perform other respiratory care procedures).
 - 6) One registered dietitian with experience in perinatal nutrition shall be available to plan diets to meet the special needs of high-risk mothers and neonates.
- f) Exceptions to Level III - Standards of Care
 - 1) Exceptions to these standards of care set forth in this Section may be necessary based on patient care needs in the regional perinatal network. Such exceptions shall be reviewed and approved by Department only upon written application to the Department by the Perinatal Center on behalf of the facility.
 - 2) The Department shall grant exceptions to these provisions of

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this Part when the facility requesting an exception demonstrates to the Department that standards and quality of care established for any Level III facility in their Regional Perinatal Network are substantially equivalent for: Staffing, Equipment, Facilities.

- 3) Only after this approval has been granted may the exception be included in the letter of agreement with the Perinatal Center. Hospitals may seek the advice and consultation of the Department if an impasse is reached with the Perinatal Center in defining the components of the letter of agreement.

e) The Department, in conjunction with the Perinatal Advisory Committee, shall develop a plan for the evaluation of the Regionalized Perinatal Health Care Code to include, but not limited to morbidity and birthweight specific mortality indicators. A report shall be prepared annually.

f) The Department shall develop a plan wherein the degree of compliance with these standards is determined on a periodic basis not to exceed three years.

g) The standards identified throughout this Section do not apply to infants who, after having completed initial therapy, are transferred back to the referring hospital for continuing care. The capability of the hospital to provide necessary services for such infants is to be determined by mutual consent with the Perinatal Center and the issue addressed in the letter of agreement.

Section 640.44 Perinatal Center

a) To be designated a Perinatal Center, a facility shall apply to the Department for designation, and shall comply with all of the conditions described for intensive (Level III) perinatal care in Section 640.43 and shall comply with all the conditions described in Subpart O of the Hospital Licensing Requirements (77 Ill. Adm. Code 250) promulgated by the Department which are applicable to the level of care necessary for the patients served, and in addition shall comply with the following:

- 1) A Perinatal Center shall be a university or university affiliated facility responsible for the administration and implementation of the Department's regionalized perinatal health care program including continuing education for health professionals. A Perinatal Center may be composed of one or more institutions.

2) A Perinatal Center must be capable of providing the highest

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level of care within a regional network appropriate to maternal and neonatal high-risk patients. The following services shall be available:

- A) Consultants in the various medical-pediatric-surgical subspecialties including cardiac, neurosurgery, genetics, and other support services;
- B) Follow-up assessment program;
- C) Maternal and neonatal transport services;
- D) Laboratory facilities available to the hospitals within the regional perinatal network.

b) Within each regional perinatal network there shall be a Perinatal Center designated by the Department to be responsible for the administration and implementation of the Department's Regionalized Perinatal Health Care Program.

Section 640.45 Agency Action

a) Any designated facility which fails to comply with the requirements for its designation may have its application for designation denied or its designation revoked by the Department.

b) The circumstances under which an application or designation may be denied or revoked include:

- 1) failure to comply with the requirements for designation has been noted by the Department; and

2) when the institution has been notified by the Department as to the specific item or items not in compliance with the requirements for designation, and when the institution has not corrected the matter within a reasonable period of time (generally 90 days).

b) The provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1001 et seq.) and the Department's Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100) shall apply to all hearings challenging Department decisions.

Section 640.50 Designation and Redesignation of Level I, Level II, and Level III Perinatal Facilities

a) The facility shall declare by means of a letter of intent to the

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Department that it seeks designation as a facility for the delivery of general perinatal care (Level I) or intermediate perinatal care (Level II) or intensive care (Level III) in one of the Regional Perinatal Networks of the Illinois Perinatal Health Care Program.

- b) The Department shall acknowledge the letter of intent.
- c) The Perinatal Center shall arrange a site visit to the applicant facility. The site visit team for Level I, II and III perinatal facilities shall consist of 5 members: three from the Perinatal Center of the hospital network including the Directors of Neonatology and Maternal-Fetal Medicine or their designees and a representative of nursing, one representative from the PAC, and one representative of the Department. The site visit team shall review the capabilities of the applicant facility based on the requirements outlined in the letter of agreement between the applicant facility and the Perinatal Center. The site visit team shall complete the Standardized Perinatal Site Visit Protocol (See Appendix-A) and Outcome Oriented Data (See Appendix-B) and submit these materials to the medical directors of the facility visited for their review and comment within 30 days from the date of the site visit.

- d) The Department shall coordinate the site visit for Perinatal Centers. The team shall consist of 5 members: one Director of Neonatology, Maternal-Fetal Medicine and Nursing from a non-contiguous Center, one representative from the PAC, and one representative of the Department. The site visit team shall complete the Standardized Perinatal Site Visit Protocol and Outcome Oriented Data and submit these materials to the Perinatal Center for their review and comment within 30 days from the date of the site visit.

- e) The completed site visit report shall then be forwarded to the Department within 60 days from the date of the site visit. Department staff shall be available for technical and administrative consultation concerning the site visit.

- f) The Department having received the information requested concerning the applicant facility, the site visit report and the letter of agreement between the applicant facility and the Perinatal Center, shall submit these materials to the Perinatal Advisory Committee for review. The applicant facility may request to appear or may be asked to appear before the Perinatal Advisory Committee during its review of the application.

- g) When the information described in Section 640.60 is submitted to the Perinatal Advisory Committee, it shall review the material, and the report of the site visit for compliance with the Regionalized Perinatal Health Care Code; and shall make a recommendation for

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approval or disapproval of the facility's application for designation to the Department.

- h) The Department shall review the submitted materials and the recommendation of Perinatal Advisory Committee, and shall make a recommendation to the Director of Public Health concerning designation of the facility as an affiliated perinatal facility (Level I, Level II or Level III) to a designated Perinatal Center in the Statewide Regionalized Perinatal Health Care Program.
- i) The Director of Public Health shall make the final decision and inform the facility of the official determination regarding designation. The Director's decision shall be based upon the recommendation of the Perinatal Advisory Committee and the facility's compliance with the Regionalized Perinatal Health Care Code, and may be appealed in accordance with Section 640.45.

- j) All designations shall be reviewed by the Department every three years or when the Department may deem necessary to assure that the designated facilities continue to comply with the requirements of the perinatal plan.

Section 640.60 Information for Facility Designation and Redesignation as Level I, Level II, and Level III Perinatal Facilities and Assurances Required of Applicant

Applicant facilities shall provide the Department the following information:

- a) A definition of the geographic area the facility currently or plans to serve is required.
- b) A description of the physical facility, compliance with Subpart O of 77 Ill. Adm. Code 250, and a description of the maternity and nursery units currently in place or in preparation for operation should the facility be designated.
- c) A description of the facility's staffing in accordance with those additional standards for designation described in the Regionalized Perinatal Health Care Code as follows:
 - 1) Social work and nutrition services shall be available through a hospital department for Level II and Level III designation.
 - 2) Names, titles and contact numbers shall be provided for the Director or Chairman of Maternal-Fetal Medicine, Neonatology, Obstetrics, Pediatrics and Neonatal Services, Chief Nursing Supervisor, Nursing Supervisor of Maternity Unit, names and contact number of medical staff members in Maternal-Fetal

Medicine, obstetrics and gynecology, neonatology, OB anesthesiology, family practice, anesthesiology; listing of anesthesiologists, staff for respiratory therapy, nurse-midwives, and involved house staff.

- 3) A description of the current nurse/patient ratios in the nursery, delivery room, postpartum floor and intermediate or intensive care newborn nurseries for all shifts shall be provided.
- 4) A description of the qualifications of nursing personnel involved in the newborn nursery, delivery room and postpartum area shall be provided.
- 5) A description of the staff plans to assure that maternity/nursery staff are trained and prepared to stabilize infants prior to transfer, and are available 24 hours shall be provided.
- d) A description is required giving evidence that the facility's laboratory, X-ray and respiratory therapy equipment and capabilities meet all the conditions described in Subpart O and are available 24 hours in-house.
 - 1) Evidence that continuous electronic maternal-fetal monitoring is available and staff knowledgeable in its use and interpretation available 24 hours for Level I, Level II and Level III designation applicants is required.
 - 2) Level III and Perinatal Center shall provide Level II ultrasound available on the OB floor.
 - 3) Level I ultrasound and staff knowledgeable in its use and interpretation shall be available at Level II facilities on a 24 hour basis.

e) A description is required of the capabilities for or planned for emergency neonatology surgery, listing specialists such as surgeons, trained or support staff for neonates, and a description of the capabilities for caesarean section and start-up time.

f) A description of the present plan for identification of high-risk maternity and neonatal patients and agreements for consultation with the Perinatal Center in cases of maternity and neonatal complications and neonates with handicapping conditions shall be provided. This description shall include plans and agreements for providing:

- 1) Management of acute surgical or cardiac difficulties;

- 2) Genetic counseling should be a genetically related condition be diagnosed in the neonate, or should a parent or a known carrier request such services;
- 3) Information, counseling and referral for parents of neonates with handicapping conditions or developmental disabilities to ensure informed consent for treatment;
- 4) Counseling and referral services to assist these patients in obtaining habilitation and rehabilitation services.
- 5) A description of the types of patients the facility will care for and the types of patients it will refer to the Perinatal Center.
- g) The applicant facility shall provide all of the information required for facility designation or redesignation to the Perinatal Center it is seeking affiliation with.
- h) The following guidelines shall govern the review of perinatal facilities applying for designation or redesignation:
 - 1) Hospitals applying for perinatal designation or redesignation shall provide all the information contained in Standardized Perinatal Site Visit Protocol and Outcome Oriented Data.
 - 2) The completed Standardized Perinatal Site Visit Protocol and Outcome Oriented Data shall be submitted to the Department, along with the site visit report, and the letter of agreement.
 - 3) The Standardized Perinatal Site Visit Protocol and Outcome Oriented Data shall be sent to PAC members no less than one week in advance of the meeting by the Department to facilitate their review of the applicant facility.
 - 4) A representative of the Perinatal Center shall be present at the PAC meeting to respond to questions or concerns of PAC members regarding the facility's application for designation or redesignation. The representative may also be asked to present an oral summary of the applicant facility and the Perinatal Center's reason(s) for recommending/not recommending designation or redesignation to the PAC.
 - 5) The Department shall ask the Perinatal Center to conduct a follow-up site visit to the facility if the initial site visit is more than 6 months prior to review by PAC for designation or redesignation. In such cases, approval shall be contingent upon receiving the findings of the follow-up site visit.

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Section 640.70 Minimum Components For Letters Of Agreements Between Level I, Level II Or Level III Perinatal Facilities And Their Perinatal Center.

The following components at a minimum shall be addressed in a letter of agreement between the applicant facility and their Perinatal Center.

- a) A description of how maternal and neonatal patients with problems, including handicapping conditions or developmental disabilities, will be identified.
- b) A description of the types of maternal and neonatal cases in which consultation from the Perinatal Center or Level III facility will be sought and from which patients will be selected for transfer shall be provided. This description shall address those high-risk mothers or neonates with:
 - 1) Handicapping conditions, developmental disabilities, or medical conditions that are life threatening and require transport to a Perinatal Center or a Level III facility.
 - 2) Handicapping conditions, developmental disabilities, or medical conditions that may require additional medical and surgical treatment and support services, but would not however, require transport to a Perinatal Center or Level III facility.
- c) A description of how the Perinatal Center or Level III facility will report patients' progress to the referring physicians, and the criteria for return of patients from the Perinatal Center or Level III facility to an affiliated facility closer to the patients' home shall be provided.
- d) A description of the methods for transporting high-risk mothers and neonates with physiological support in transit shall be provided.

e) A description of the information, counseling and referral services available within the local community and the regional network for parents or potential parents of neonates with handicapping conditions or developmental disabilities.

f) A description of the professional educational outreach program for the regional network, including how efforts will be coordinated shall be provided.

g) A provision requiring the establishment of a Joint Mortality and Morbidity Review Committee to review all perinatal deaths and selected morbidity. The review shall include the births of children born with handicapping conditions or developmental disabilities, utilizing criteria of case selection developed by the PAC TO

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DETERMINE THE APPROPRIATENESS OF DIAGNOSIS AND TREATMENT OF NEONATES BORN WITH A HANDICAPPING CONDITION OR DEVELOPMENTAL DISABILITY AND THE ADEQUACY OF PROCEDURES TO PREVENT SUCH DISABILITIES OR THE LOSS OF LIFE (Section 3(g) of the Act). This review shall also include a periodic comparison of total perinatal mortality and the relative numbers attributable to various categories of complications. Membership on the Committee should include pediatricians(s), obstetrician(s) and representation from their designated Perinatal Center. Membership on the Committee may also include general family practitioners, with specified support staff of the hospital.

- h) A description of the regional perinatal network's program for medical and home nursing follow-up describing systems of liaisons shall be provided with a letter of agreement from the agency providing the home nursing follow-up services.
- i) A description of the methodologies used to monitor, evaluate, and improve the quality of health care services provided under the auspices of the applicant facility.
- j) A stipulation requiring the provision of information, counseling and referral services to parents or potential parents of neonates with handicapping conditions or developmental disabilities upon the identification of the handicapping conditions and developmental disabilities to assist in obtaining habilitation, rehabilitation, and special education services.
- k) A provision requiring evaluation in consultation with the Perinatal Center or Level III facility and referral to the Perinatal Center or Level III facility, when determined appropriate following evaluation of neonates with handicapping conditions or developmental disabilities within 24 hours of the identification of the conditions.
- l) A provision requiring the establishment of procedures for referral to appropriate state and local education service agencies of children having an identified handicapping condition or developmental disability requiring evaluation and assessment under such agencies. The procedures shall include a provision for obtaining parental consent prior to release of information to the appropriate state and local educational service agencies.

Section 640.80 Regional Perinatal Networks - Composition and Funding

- a) Regional Perinatal Networks, as defined in Section 640.20, may include any number and combination of hospital-based maternity and newborn facilities functioning at one of the three levels of perinatal care according to policies and practices described in their letters of agreement. Where more than one Level III facility

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provides services within a regional perinatal network, a letter of agreement with the Perinatal Center shall describe how each will participate in the provision of services included in Section 640.40(c) of this Part. Such regional perinatal networks may also include other agencies; institutions and individuals providing a complete range of perinatal health services including preconceptional, prenatal, perinatal and family follow-up care services as part of the regional network.

- b) The Department may allocate funds for perinatal health services provided through Regional Perinatal Networks.

1) Sections 630.30 through 630.70 of the Department's "Maternal and Child Health Services Code" (77 Ill. Adm. Code 630) describes categories of maternal and child health services project activity that are eligible for funding. Requirements for Maternal and Child Health (MCH) Project grant applications are included in 77 Ill. Adm. Code 630.80 through 630.200.

- 2) Funds available to the Department for funding of regional perinatal networks may be awarded under the following mechanisms:

- A) The Department may provide grants to designated Perinatal Centers responsible for the administration and implementation of the Department's regionalized perinatal health care program. Under this option the "Perinatal Center" is the applicant for MCH Project funds and will apply as specified in 77 Ill. Adm. Code 630.30 through 630.70.
- B) The Department may provide grants to regional perinatal networks acting through a Regional Perinatal Management Group representing all participants in the regional network for systems management and perinatal services, including providers of preconceptional, prenatal, and family follow-up care, as well as providers of hospital-based perinatal care services. Under this option the "Regional Perinatal Management Group" is the applicant for MCH Project funds and will apply as specified in 77 Ill. Adm. Code 630 and this Part.
- C) Grant applications by regional perinatal networks may include services and responsibilities assigned to Perinatal Centers and Level III facilities in Section 640.40(c) of this Part in addition to the perinatal care services included in 77 Ill. Adm. Code 630.30 through 630.70.
- D) The Department may reimburse Perinatal Centers, providers

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of high-risk services at Level III facilities and health care agencies providing follow-up services where no local health department exists through contracts developed directly with these agencies, institutions and individuals for costs incurred in providing perinatal care services.

- 3) A) A portion of the funds available to the Department for funding regional perinatal networks shall be targeted for Preventive Services. These funds may be distributed or allocated to perinatal centers or regional perinatal networks according to a needs-based formula. The formula for determining the Preventive Services allocation is based upon the following need factors:

- i) Number of live births by Regional Perinatal Network
 - ii) Fetal death rate by Regional Perinatal Network (Number of fetal deaths per 1,000 live births plus fetal deaths)
 - iii) Low birthweight rate by Regional Perinatal Network (Number of live births less than 2500 grams per 1,000 live births)
 - iv) Low or no prenatal care rate by Regional Perinatal Network (Number of live births to females receiving prenatal care during the third trimester or no care per 1,000 live births)
 - v) Number of hospitals in Regional Perinatal Network
- B) The rates, based on occurrences at hospital of birth are calculated for each Regional Perinatal Network using vital statistics for the latest three years combined for which data is available. Total live births for these years also are considered. The most current Regional Perinatal Network affiliation is used to aggregate the occurrences and determine the number of hospitals in each network.
- C) The formula gives equal importance to each of the five need factors. Higher rates and absolute numbers indicate greater need. The values of each factor for each Regional Perinatal Network are standardized (Z-scores),* transformed into stanine scores,** and summed. The sum represents each Regional Perinatal Network's need indicator score. The indicator score is summed across all networks, and each network's relative proportion to that total is computed.

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D) The resulting percentage for each Regional Perinatal Network is applied to the total Preventive Services funds available to determine the allocation for each Regional Perinatal Network.

E) * denotes Standardized Score (z Score)

$$z = \frac{X - \bar{X}}{s.d.} \text{ Where } z =$$

The standardized score for a particular perinatal network on a particular need factor

$$\bar{X} =$$

The rate/number for a particular perinatal network on a particular need factor

$$\bar{X} =$$

The mean for a particular need factor

$$s.d. =$$

The standard deviation for a particular need indicator
**denotes Transformation of Z-scores to stanines.

greater than + 1.75 = 9
+ 1.75 to + 1.25 = 8
+ 1.25 to + 0.75 = 7
+ 0.75 to + 0.25 = 6
+ 0.25 to - 0.25 = 5
- 0.25 to - 0.75 = 4
- 0.75 to - 1.25 = 3
- 1.25 to - 1.75 = 2
less than - 1.75 = 1

(Guilford and Fruchter
Fundamental Statistics in
Psychology and Education.
New York: McGraw-Hill)

4) Requirements for Perinatal Centers and Level III facilities are included in Section 640.40(c) of this Part and include standards for medical eligibility for services.

Section 640.90 Perinatal Tracking System

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a) Purpose

The Department will maintain a Perinatal Tracking System to follow selected high-risk perinatal patients, to insure that those patients are assessed at appropriate intervals, receive intervention as needed, and are referred for needed support services.

b) Identification and Referral of High-risk Maternal Patients.

1) Each designated Perinatal Center and Level III facility which provides obstetrical care shall establish criteria and procedures for identifying high-risk pregnant and postpartum patients. A statement describing such criteria and procedures shall be on file and shall be provided to the Department on request.

2) Each designated Perinatal Center and Level III facility shall prepare and distribute a Maternal Discharge Record (See Appendix), to be provided by the Department, for each high-risk pregnant or postpartum patient treated in the facility. If a patient is readmitted during the same or subsequent pregnancies and is deemed to be high-risk, another Maternal Discharge Record shall be prepared and distributed.

3) The hospital's Perinatal Review Committee established pursuant to Section 640.70 or other committee established for the purpose of INTERNAL QUALITY CONTROL OR MEDICAL STUDY FOR THE PURPOSE OF REDUCING MORBIDITY OR MORTALITY OR IMPROVING PATIENT CARE shall collect and submit the required information to the Department. These data will be considered confidential under Section 8-2101 of the Code of Civil Procedure.

4) The Maternal Discharge Record shall be completed and distributed within seven days after the patient's discharge from the facility. Instructions for proper completion of the Maternal Discharge Record are contained in Appendix C. Additional pages may be attached when there is insufficient space on the form for all needed information.

5) Copies of the Maternal Discharge Record shall be distributed as follows:

A) The original form (white copy) of the Maternal Discharge Record shall be sent to the Department's

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Division of Family Health, 535 West Jefferson, Springfield, Illinois 62761;

- B) The canary copy shall be sent to the Local Health Department or other local health agency designated by the Department to provide follow-up services in the county or area in which the patient resides;
- C) The pink copy shall be sent to the patient's primary care physician; and
- D) The goldenrod copy may be retained by the reporting facility.

6) The hospital staff is encouraged to contact the designated local health agency by telephone when there is a need for additional information to be communicated to the local health nurse, or when a pre-discharge visit by the local health nurse is needed.

7) The Department will provide to the hospitals a list of Local Health Departments and other local health agencies designated to provide follow-up services to high-risk maternal patients. The list will be updated as needed, at least annually.

c) Identification and Referral of High-risk Infants

1) Information submitted to the Department's Adverse Pregnancy Outcomes Reporting System (77 Ill. Adm. Code 840, Subpart C) will become part of the Perinatal Tracking System and will be subject to the provisions of this Section. The provisions of 77 Ill. Adm. Code 840 will govern the use of these data under the Perinatal Tracking System.

2) Hospitals which report infants to the Adverse Pregnancy Outcomes Reporting System will send a copy of the Infant Discharge Record to the Local Health Department or other local health agency designated by the Department to provide follow-up services in the county or area in which the patient resides. Additional pages may be attached when there is insufficient space on the form for all needed information.

3) The hospital staff is encouraged to contact the designated local health agency by telephone when there is a need for additional information to be communicated to the local health nurse, or when a pre-discharge visit by the local

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health nurse is needed.

4) The Department will provide to the hospitals a list of Local Health Departments and other local health agencies designated to provide follow-up services to high-risk infants. The list will be updated as needed, at least annually.

d) Report of Local Health Nurse

1) The Local Health Department or other designated local health agency providing follow-up services to high-risk pregnant and postpartum women and to high-risk infants shall prepare and distribute a Report of Local Health Nurse (see Appendix E), to be provided by the Department, for each visit made or attempted; a Report shall also be distributed when a case is closed without a visit. Specific instructions for proper completion of the Report of Local Health Nurse are contained in Appendix F.

2) Copies of the Report of Local Health Nurse shall be distributed as follows:

A) The original form (white copy) of the Report of Local Health Nurse shall be sent to the Department's Maternal Child Health Nurse Consultant in the appropriate Regional Office, who will review them and forward them to the Department's central office within seven days. If that position is vacant, the Report shall be sent to the Division of Family Health, Illinois Department of Public Health, 535 West Jefferson, Springfield, IL 62761.

B) The canary copy shall be sent to the hospital which referred the patient for follow-up services.

C) The pink copy shall be sent to the patient's primary care physician.

D) The goldenrod copy shall be sent to the patient's primary care physician.

e) Availability of Information

1) The patient-identifying information submitted to the Department or local health agency under the Act and this Part shall be privileged and confidential and shall not be available for disclosure, inspection or copying under the

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Freedom of Information Act or the State Records Act, except as described in this Section. These data shall also be considered confidential under Section 8-2101 of the Code of Civil Procedure.

- 2) Summary and statistical reports containing information which identifies individual patients and/or individual hospitals may be provided to the hospital which reported the patient, to the Perinatal Center with which it is affiliated, and to the local health agency designated by the Department to provide follow-up services to the patients. Such reports may contain information provided by the referring hospital and information provided by the follow-up agency. Patient or facility specific data provided to the appropriate designee under this section is confidential and shall be handled in accordance with the provisions of the Health Statistics Act and Section 9 of the Hospital Licensing Act. These data shall also be considered confidential under Section 8-2101 of the Code of Civil Procedure.

- 3) All reports issued by the Department in which the data is aggregated so that no patient or reporting facility may be identified shall be available to the public pursuant to the Department's Freedom of Information rules (2 Ill. Adm. Code 1126) and the Freedom of Information Act.

f) Quality Control

- 1) Reporting facilities (i.e. hospitals, Local Health Departments, and designated local health agencies) shall be subject to review by the Department to assess the timeliness, correctness and completeness of the reports submitted by the facility.
- 2) Reporting facilities (i.e. hospitals, Local Health Departments, and designated community health agencies) shall supply to the Department at the Department's request additional information when needed to confirm the accuracy of reports previously submitted, or to clarify information previously submitted. The Department shall not request data that are more than two years old.
- 3) Each Report of Local Health Nurse will be reviewed by an MCH Nurse Consultant who will consult with the follow-up nurse if there are questions regarding any aspect of the assessment or follow-up plan for the infant/family.
- 4) Monthly reports will be compiled by the Department, listing

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all hospital referrals to each health department/agency. A copy of the report will be sent to each health department/agency so they can verify that they have received all referrals intended for their agency.

- 5) The Department will compile periodic reports listing individual infants and the number of follow-up visits received to monitor compliance with the protocol.
- 6) The Department will track selected infant outcomes, including results of developmental screening, immunizations received and support service referrals.

Section 640.100 High-Risk Follow-Up Program

a) Local Health Nursing Follow-up for the High-Risk Mother

1) Purpose

Home visits to families of high-risk/pregnant and postpartum women have a three-fold purpose: assessment of the woman and the family/environment; facilitation of early intervention for identified problems; and the collection of information for the Perinatal Tracking System.

2) Agencies to Provide Services

- A) All Local Health Departments should provide follow-up services to residents of their counties.
- B) The Department may contract with a local health agency or county nurse to provide follow-up services to residents of areas without a Local Health Department.

3) Eligibility for Services

Any pregnant or postpartum patient identified as high-risk by a level III hospital and referred to a Local Health Department or other designated local health agency should be offered follow-up services. The patient may decline such services.

4) Services to be Provided

- A) Home visits to high-risk pregnant women should be scheduled as often as the client's condition warrants or as requested by the attending physician. A post-discharge visit should be made as soon as

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possible after discharge. Additional visits may be made during the postpartum period (i.e., 6 weeks following the date of delivery) for pregnancy-related conditions as indicated or as requested by the attending physician. If additional visits are for chronic health conditions (e.g., chronic hypertension, CVA, advanced cardiac disease), the patient should be referred to the licensed home health agency in the area for long-term follow-up.

- B) Local health agencies which provide services by contract with the Department may not be reimbursed for more than eight (8) prenatal or one (1) postpartum visit(s) to a patient without prior written approval from the Regional MCH Nurse Consultant.

b) Local Health Nursing Follow-up for High-risk Infants

1) Purpose

The purpose of the infant follow-up program is to minimize disability in high-risk infants by identifying as early as possible conditions requiring further evaluation, diagnosis, and treatment and by assuring an environment that will promote optimal growth and development.

2) Agencies to Provide Services

- A) All Local Health Departments should provide follow-up services to residents of their counties.
- B) The Department may contract with a local health agency to provide follow-up services to residents of areas without a Local Health Department.

3) Eligibility for Services

Any infant eligible for the Adverse Pregnancy Outcomes Reporting System (APORS) and referred to a Local Health Department or other designated local health agency should be offered follow-up services. The family may decline such services.

4) Services to be Provided

- A) A minimum of five visits should be made by the follow-up nurse: as soon as possible after newborn hospital discharge, and at infant chronological ages

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6, 12, 18, and 24 months. Infants and their families having actual or potential health problems identified by the nurse should be visited more frequently for health monitoring, teaching, counseling and/or referral for appropriate services. Occasionally, when an infant is receiving services at the health department, a follow-up visit may be conducted by the nurse at that time.

B) Follow-up services should include:

- 1) Health History including: prenatal and natal history; parental concerns; family history of genetic disease or unexplained mental retardation; compliance with medical regimen, if any, including medications, treatments, and visits to the physician; infant care including nutrition, elimination, and sleep activity; and family/infant interaction, family coping and parental knowledge of injury prevention.
- 2) Physical assessment including: height, weight, height for weight, and head circumference; examination of head, eyes, ears, nose, mouth, chest, abdomen, heart, lungs, and extremities; primitive reflexes; and developmental status using the Reactions, Skills and Abilities observation guide.
- 3) Based on the results of the health history and physical assessment, the nurse will identify problems and nursing diagnoses and arrange for intervention. Intervention may include: counseling the family as to the importance of regular primary health care by the family physician, pediatrician, or clinic; encouraging scheduled return visits to Perinatal Center; family teaching/counseling by the follow-up nurse; referral to the physician or other screening, diagnostic or support services depending on the nature of the problem; and follow-up on referrals.

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Appendix A Standardized Perinatal Site Visit Protocol

DESIGNATION/REDESIGNATION

(To be completed by the site visit team and endorsed by the Directors of the Regional Perinatal Network)

Level of Designation Applied for: Level I _____ Level II _____ Level III _____

HOSPITAL: _____ CITY/TOWN: _____

DESCRIPTION OF GEOGRAPHIC AREA SERVED: _____

PERINATAL CENTER: _____ DATE OF SITE VISIT: _____

MEMBERS (Titles and affiliated institution) OF SITE VISIT TEAM _____

Components of site visit tool - information to be completed by applicant facility prior to site visit and reviewed and approved at time of site visit. If individual criteria are not approved, state reason why. (Additional pages may be attached if necessary.)

(By site visit team)

A. PROGRAM DOCUMENTATION
Initial/Date

____/____ 1. Updated maternity service plan with current staffing pattern is appropriate for level of care.

____/____ 2. For Level III facilities: Documentation that all medically eligible Illinois residents are accepted for admission, or if unable to accept referral, that arrangements are made for admission to another Level III facility or Perinatal Center in the system.

____/____ 3. Documentation of orientation program for nursing staff.

____/____ 4. Documentation of ongoing continuing education program.

____/____ 5. Documentation of quality assurance programs.

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____/____ 6. Updated, comprehensive procedure manual.

B. OUTCOME ORIENTED PERFORMANCE DATA (See Attachment).

C. LETTER OF AGREEMENT

____/____ 1. Prior risk identification and patient management

____/____ 2. Documentation of morbidity/mortality and C-Section review conference.

____/____ 3. Appropriateness of infant and maternal transport (including emergency transport for Perinatal Center).

____/____ 4. Evidence that recommendations made by Perinatal Center or state and city agencies have been implemented.

____/____ 5. Compliance with ancillary laboratory service and that services are appropriate for level of care.

D. STAFF PERFORMANCE

____/____ 1. Documentation of appropriate staff for level of care including but not limited to respiratory therapist, social worker, dietitian.

____/____ 2. Chart review (physicians).

____/____ 3. Discussion of patient care with staff selected at random by the site visit team.

____/____ 4. Chart review (nursing).

____/____ 5. Discussion of patient care with nursing staff selected at random by the site visit team.

E. COMMENTS (Attach Additional Pages If Necessary)

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Director of Site Visit Team: _____

Title: _____

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Appendix B Outcome Oriented Data: Perinatal Facility Designation/Redesignation
(To be completed by the site visit team and Directors of the Regional
Perinatal Network)

Level of Designation Applied for: Level I ____ Level II ____ Level III ____

HOSPITAL: _____

CITY: _____

DESCRIPTION OF GEOGRAPHIC AREA SERVED: _____

PERINATAL CENTER: _____

DATE OF SITE VISIT: _____

MEMBERS (titles and affiliated institution) OF SITE VISIT TEAM: _____

Please use data from previous three calendar years: 19 ____ 19 ____ 19 ____

I. Statistics

A. MATERNAL DATA

1. Number of obstetrical beds:

a. Antepartum _____

b. Labor/delivery _____

LDR/LDRP _____

Alternative birth center _____

C-Section _____

delivery _____

c. Intensive Care _____

2. Total number of deliveries
> 20 weeks _____

3. Percent of vaginal deliveries _____

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19__

spontaneous
forceps
vacuum extraction

4. Percent of C-Sections

% primary

% repeat

5. Number of Vaginal Birth After
Cesarean (VBAC)

attempts

successes

6. Percent of inductions

7. Percent of augmentations

8. Number of maternal transfers/transports
(do not include return transfers)

into institution

out of institution

B. NEONATAL

1. Number of nursery beds:

Normal newborn

Intermediate/special care

NICU

2. Total number of neonates
delivered (in-born)

> 24 - 30 weeks

≥ 31 - 34 weeks

≥ 35 - 36 weeks

19__

> 36 weeks

19__

19__

19__

3. Percent of low birth weight (less
than or equal to 2500 grams)4. Number of neonatal transfers
(do not include return transfers)5. Percent of in-born infants less than
1250 grams transferred out (State
disposition of above infants not
transferred)6. Number of infants ventilated
beyond 6 hours

7. Number of ventilator days

C. OUTCOME STATISTICS

All neonatal deaths are to be counted
by the hospital of birth regardless of
place of death. Neonates born in
emergency rooms are to be counted by
the hospital of birth.

1. Maternal Deaths

2. Perinatal Mortality (per 1000 total
live births)Fetal Mortality > 20 wks gest per
1000 birthsNeonatal Mortality (per 1000 live
births)3. Perinatal Mortality > 500 gms per
1000 total birthsFetal Mortality > 500 gms per
1000 total birthsNeonatal Mortality > 500 gms per
1000 live births

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4. Birth Weight Specific Data

Total No./% Survival of Live Births	#/%	#/%	#/%
1- 500 gm	19__	19__	19__
501- 600	__	__	__
601- 700	__	__	__
701- 800	__	__	__
801- 900	__	__	__
901-1000	__	__	__
1001-1250	__	__	__
1251-1500	__	__	__
1501-2000	__	__	__
2001-2500	__	__	__
>2500	__	__	__

5. No. of infants on vents over 6 hours
No./% survival

less than 1000 gms	__	__	__
1001-1250 gms	__	__	__
1251-1500 gms	__	__	__
1501-2000 gms	__	__	__
2001-2500 gms	__	__	__
>2500 gms	__	__	__

6. Comments (Attach additional pages if necessary)

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RULES FOR REGIONALIZED PERINATAL HEALTH CARE

II. STAFF

A. List the names, titles and telephone numbers of directors/chairpersons.

	Full Time	Board Certified
Maternal-Fetal	Y/N	Y/N
Obstetrics	Y/N	Y/N
FP/GP	Y/N	Y/N
Anesthesia	Y/N	Y/N
Obstetric Anesthesia	Y/N	Y/N
Neonatology	Y/N	Y/N
Pediatrics	Y/N	Y/N
OB-GYN residency program (if applicable)	Y/N	Y/N
Pediatric residency program (if applicable)	Y/N	Y/N

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Perinatal Fellowship program _____ Y/N Y/N

Neonatal Fellowship program _____ Y/N Y/N

B. Staff active in perinatal care.

Give # only.

	Board Certified	Non-Board Certified
Maternal-Fetal	Full Time _____ Part Time _____	Full Time _____ Part Time _____
Obstetrics	Full Time _____ Part Time _____	Full Time _____ Part Time _____
FP/GP	Full Time _____ Part Time _____	Full Time _____ Part Time _____
Anesthesia	Full Time _____ Part Time _____	Full Time _____ Part Time _____
OB Anesthesia	Full Time _____ Part Time _____	Full Time _____ Part Time _____
Neonatology	Full Time _____ Part Time _____	Full Time _____ Part Time _____
Pediatrics	Full Time _____ Part Time _____	Full Time _____ Part Time _____

C. Staff Available

On-Call _____ In-House 24 _____

Obstetrics _____

Neonatology _____

OB Anesthesia _____

D. NURSING

List the names, titles, contact telephone numbers and credentials (i.e. BSN, MS, etc.) of nursing staff (as required below) with privileges in the Departments of Obstetrics and Pediatrics.

Director of Nursing
(OB-Maternal/Child) _____

Director of Nursing
NICU/NBN _____

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Certified Nurse Midwife _____

Clinical Specialist - Neonatal _____

Clinical Specialist, Maternal-Fetal _____

Transport Coordinator - Neonatal _____

Nurse Anesthetist _____

Additional Staff _____

Transport Coordinator, Maternal-Fetal _____

Additional Staff _____

E. ALLIED HEALTH STAFF

List the names, titles, contact telephone numbers and credentials of additional allied health staff members with privileges in the Departments of Obstetrics and Pediatrics (if applicable).

Radiology Director: _____

Genetic Director: _____

Respiratory Therapy Director: _____

Licensed Social Worker: _____

Registered Dietitian: _____

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Director of Laboratory: _____

Family Care Coordinator/Follow-Up Coordinator: _____

RULES FOR REGIONALIZED PERINATAL HEALTH CARE

III. TRANSFER INFORMATION

A. Maternal

1. List conditions for which maternal patients were transferred (latest year only)

2. List hospitals to which maternal patients were transferred (latest year only)

3. Number of maternal transfer patients refused and reasons for refusal

B. Neonatal

1. List conditions for which neonates were transferred (latest year only)

2. List hospitals to which neonates were transferred (latest year only)

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3. Number of neonatal transfer patients refused and reasons for refusal (latest year only)

IV. Descriptive Data

A. Cesarean Section

1. Anesthesia

Is 24-hour anesthesia available in-house? Y/N

If yes, who (anesthesiology, nurse anesthetist)

If anesthesia is on-call, response time? _____

2. Location C-Section performed _____ in OR suite on obstetrical floor _____ in OR suite in surgery

3. Length of time required for start-up of C-Section _____

B. Education

1. Brief description and dates of in-service education programs for obstetrical/pediatric nursing and respiratory therapy staff members. (Use additional pages as necessary.)

2. Describe on-going fetal monitoring and neonatal resuscitation. State staff members providing resuscitation services. State their qualifications and training. (Use additional pages as necessary.)

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3. Provide documentation of on-going morbidity and mortality review and C-Section review.

- C. Describe growth and development follow-up program. List staff members, title and credentials, length of follow-up, etc.

- D. Provide documentation of appropriate laboratory services (how arrangement made for emergency labs, etc.). See perinatal guidelines for standards of response time, hours available, staffing, etc.

E. Specific for Level III facility - Are Services Available for:

Ophthalmology	Y/N
Neonatal surgery	Y/N
Genetic counseling and diagnostic services	Y/N
Intensive cardiac services	Y/N
Intensive Neurological services	Y/N
Community nursing follow-up referral coordination	Y/N
Level II ultrasound	Y/N

F. Specific for Perinatal Centers:

1. Provide documentation of educational activities provided for network hospitals and community health agencies.
2. Provide documentation of systematic morbidity and mortality reviews with network hospitals.

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3. Describe discharge planning and communication with community nursing and other allied health agencies.
4. Describe involvement with community programs.

Appendix C Maternal Discharge Record

Appendix D Instructions for Completing Maternal Discharge Record

The following section describes in detail the data elements of and procedures to complete the Maternal Discharge Record.

Referring Hospital
Name and City

Enter the name and city of the hospital from which the mother was transferred or referred. If the mother was identified from the Perinatal Center's own population, enter the name of the Perinatal Center hospital. Do not enter the code; it will be entered at IDPH.

Perinatal Center Name
and Code

Print the name of the Perinatal Center. Do not enter the code; it will be entered at IDPH.

Patient ID Number

Enter the patient number used by your hospital which is unique to each admission. This number is usually assigned by the business office and may be different from the medical record number.

Patient's Last Name,
First Name, M.I.

Print the name of the patient.

Date of Birth

Enter the birth date of the patient.

Family Case Number

Do not enter; it will be entered at IDPH.

Date of Admission

Enter the date the patient was admitted to the Perinatal Center.

Race

Check the appropriate box. If a patient does not consider herself as belonging to any of the three racial groups, type or write the preferred designation alongside "Race".

County of Residence

Print the name of the county in which the patient resides. Do not enter the code; it will be entered at IDPH.

Patient's Maiden Name

Print the maiden name of the patient if known. Enter the maiden name even when it is identical with the last name.

Marital Status

Check the appropriate box.

Hispanic

Check the appropriate box. Indicate "Hispanic" if the patient identifies herself with that ethnic group. If no information is available, check N/A, not available.

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NOTE: Be sure to mark both "Race" and "Hispanic" for all patients: Hispanic persons may belong to any race.

Patient's Telephone Number Enter the patient's home phone number, including area code.

Patient's Street Address Enter apartment number, if any, house number, street, city, state and zip code of the patient.

Husband's Last Name, First Name Print the name of the patient's husband if she is married.

Primary Care Physician's Name Print the name of the physician who referred the patient to the Perinatal Center or of the physician at the Center if all obstetric care was delivered in that facility.

Attending Physician at Perinatal Center Print the name of the physician caring for the patient at the Perinatal Center.

Nurse Contact at Perinatal Center Print the name of the Perinatal Center nurse who can be contacted regarding the patient by the public health nurse making home visits to the patient.

Telephone Enter the telephone number of the nurse contact.

Gravida Enter the total number of pregnancies, including the present pregnancy.

Para F: Number of full term births
P: Number of premature births
A: Number of abortions, spontaneous and induced
L: Number of living children

If the mother delivered during this hospital stay, the newborn is to be included in F, P or A. The newborn is to be included in L if alive at the time of the mother's discharge from the perinatal center.

Blood Type Enter the blood group (O, A, B, or AB) and the RH type (positive or negative).

EDC Enter the estimated month, day, and year of confinement.

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Prenatal Care Began Enter the number of completed weeks of gestation at which the patient began prenatal care. If prenatal records are not available, enter the estimated weeks of gestation based on patient recall.

Prenatal Visits Enter the total number of prenatal visits the patient had.

Weight Gain Enter the total weight gain during pregnancy.

Significant Reproductive History Check the box or boxes for all items which apply. (Note: "SGA" is infant small for gestational age).

Complications of Present Pregnancy Check the box or boxes for all items which apply.

Discharge Date Enter the month, day, and year the patient was discharged from the Perinatal Center.

Blood Pressure Enter the blood pressure of the patient at discharge.

Weight Enter the weight in pounds of the patient at discharge.

Height Enter the height in feet and inches of the patient.

Family Planning Check the appropriate box.

Patient Delivered During This Admission Check the appropriate box.

Type and Date of Delivery If the patient delivered during this admission, indicate the date of delivery and whether the delivery was a normal spontaneous vaginal delivery, forceps/vacuum extraction, caesarean section, or vaginal breech.

Was Infant High Risk If the patient delivered during this admission, indicate whether the infant was admitted to the high risk nursery.

Infant's Condition If the patient delivered during this admission, indicate the status of the infant upon the mother's discharge.

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Appendix F Instructions for Completing the Report of Local Health Nurse, Maternal-Prenatal

The High Risk Maternal Follow-up Form has been designed to encourage a wholistic approach to maternal/family assessment and intervention. It is important to realize, however, that it is not required that all items on the form be completed at every visit. Ideally, information will be updated at each visit as needed.

1. The items that must be completed at each visit are those that are shaded.
2. All other items are available to the nurse to be used to the extent possible in providing wholistic care and for documenting the visit.

Patient Last Name and First Name	Patient last name and first name.
Birthdate	Date of patient's birth (See MDR).
Patient ID Number	Copy this number from the Maternal Discharge Record (MDR).
Patient Address	Home address of patient: house number, street, city, state, zip code and county. Enter apartment number if applicable.
Phone	Home phone number of patient including area code. If there is no phone, enter N/A. If an alternate phone number is listed, note location (e.g., mother-in-law, etc.) immediately above the phone number.
Date of Visit	Date of visit to family by community nurse.
Visit Number	Visit number which includes the total number of visits for this particular woman's pregnancy (both prenatal and postpartum). Do not include the number of infant visits in this figure if the infant is also being seen.
Attending Physician	Indicate the name of the physician who is managing the patient's

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case. This may be the local physician or the physician at the Perinatal Center.

Name of nurse making home visit.
Name of the local public health nursing follow-up agency.

Local Health Nurse Name
Local Health Agency
Agency Code
Four digit code assigned to your agency by the Division of Family Health.

Case Closed
If patient refuses any visits or this is the last visit to be made to the patient, check the appropriate box indicating when the case is being closed. Check "with visit" if care is closed during a home visit. Check "without visit" if case is closed during an initial phone contact or when an initial home visit attempt is made. If case will remain open, leave blank.

If Case Closed, Reason for Closure

No Longer Need Services
Check this option if the patient is stable and linked with all appropriate medical and support services.

Unable to Locate
Check this option if the nurse was unable to find the patient at the address listed on the MDR, at other locations after contacting the contact person listed on the MDR, and after additional efforts to locate the patient have been made.

Family Refused Visit
Check this option if family refuses home visits by the nurse.

Moved
Check this option if family has moved out of the geographic area served by the local health

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agency. Whenever possible, refer client to the appropriate follow-up agency for the geographic area to which they have moved.

Reflexes/DTR's

Enter reflexes obtained if tested at time of home visit. If hyper-reflexic, enter as inappropriate and note action taken (e.g., MD notified).

Other

Edema

Specify reason.

If no edema is noted, record as appropriate. If edema is present, note severity and action taken (e.g., MD notified; patient advised to contact MD).

Gravida

Enter the total number of times the patient has been pregnant including the current pregnancy.

Para

Contractions

F

Enter the number of pregnancies carried to full term.

P

Enter the number of pregnancies delivered prematurely.

A

Enter the number of pregnancies ending in abortion (both spontaneous and induced).

L

Enter the number of living children

EDC

Enter the estimated date of confinement (i.e., due date).

Health Assessment
Physical Status

Fetal Activity

B/P

Enter B/P obtained at time of home visit. If less than 140/90 or within the desired B/P range noted on the Maternal Discharge Record as appropriate. If the B/P is greater than this, record as in appropriate and note action taken (e.g., MD notified; patient advised to contact MD).

If patient reports level of fetal activity to be consistent with previous levels, record as appropriate. If patient reports fetus to be more or less active than usual or reports no movement, record as inappropriate, noting type of change and when it was noted as well as action taken (e.g., MD notified).

Urine Test

Record results of urine tests if taken at time of home visit. If no protein, glucose or acetone are found, record as appropriate. If any test is positive, note what test is positive and the level of positivity as well as action taken (e.g., MD notified; patient advised to contact MD).

Fetal Heart Tones

Enter rate of fetal heart tones if taken at time of home visit. If they are less than 120, greater than 160, irregular or absent, note as inappropriate and note action taken (i.e., MD notified).

Vaginal Discharge

If no abnormal vaginal discharge is noted or reported at time of home visit, record as appropriate. If abnormal discharge is present, note appearance and amount as well as action taken (e.g., MD notified).

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Compliance with Treatment

Diet/Nutritional Status

Record the patient's compliance with special diet as noted on the Maternal Discharge Record or general dietary/fluid intake if not on a special diet. If compliant with discharge diet or eating a well-balanced meal for a pregnant woman, record as appropriate. If not compliant or not well balanced, record as inappropriate, noting deficiency and action taken (e.g., dietary instructions reviewed; patient advised to contact MD).

Activity/Rest

Record the patient's compliance with special activity/rest orders as noted on the Maternal Discharge Record or general pattern of rest/activity, if no restrictions ordered. If compliant with discharge orders or getting adequate rest and moderate levels of exercise, record as appropriate. If not compliant with discharge orders or not getting adequate rest/activity, record as inappropriate, noting deficiencies and action taken (e.g., activity reviewed; patient advised to contact MD).

Medication/Treatment

Record compliance with medications or special treatments ordered on Maternal Discharge Record. If compliant, record as appropriate. If not compliant, record as inappropriate, noting deviation. If no medications or special treatments were ordered, enter "NA" in the "appropriate" column.

Social Assessment

Support Systems

Record the level of family and/or community support the family is

Finances

Record the financial status of the family in regard to meeting basic needs (i.e., food and shelter) as well as their medical expenses. If adequate, record as appropriate. If inadequate, note deficiency and record as inappropriate. Note action taken (e.g., referred to DPA).

Next Prenatal Appointment

Record the date of the next medical, prenatal visit.

Provider

Record the name of the physician/clinic with whom the next prenatal appointment is scheduled.

Further Local Health Nurse Care

Record when the next public health nursing visit will be made. If no further visits are planned, but patient is provided with information for contacting the agency should she desire further visits, this information should be recorded. If the case is closed and no further contact will occur, the "Reason for Closure" at top of form should be completed.

Referral to Community Services

Community support service referrals made since hospital discharge. Do not include referrals made during hospital stay or at time of discharge as noted on the MDR.

Home Health

Check if patient referred for home health services.

receiving. If the support is adequate to meet their needs, record as appropriate. If support is inadequate, note deficiencies and record as inappropriate. Record actions taken (e.g., referral to homemaker services made).

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Appendix H Instructions for Completing the Report of Local Health Nurse, Maternal--Postnatal

The High Risk Maternal Follow-up Form has been designed to encourage a wholistic approach to maternal/family assessment and intervention. It is important to realize, however, that it is not required that all items on the form be completed at every visit. Ideally, information will be updated at each visit as needed.

1. The items that must be completed at each visit are those that are shaded.
2. All other items are available to the nurse to be used to the extent possible in providing wholistic care and for documenting the visit.

Patient Last Name and First Name	Patient last name and first name.
Birthdate	Date of patient's birth (See MDR).
Patient ID Number	Copy this number from the Maternal Discharge Record (MDR).
Patient Address	Home address of patient: house number, street, city, state, zip code and county. Enter apartment number if applicable.
Phone	Home phone number of patient including area code. If there is no phone, enter N/A. If an alternate phone number is listed, note location (e.g., mother-in-law, etc.) immediately above the phone number.
Date of Visit	Date of visit to family by community nurse.
Visit Number	Visit number which includes the total number of visits for this particular woman's pregnancy (both prenatal and postpartum). Do not include the number of infant visits in this figure if the infant is also being seen.

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Attending Physician	Indicate the name of the physician who is managing the patient's case. This may be the local physician or the physician at the Perinatal Center.
Local Health Nurse Name	Name of nurse making home visit.
Local Health Agency	Name of the local public health nursing follow-up agency.
Agency Code	Four digit code assigned to your agency by the Division of Family Health.
Case Closed	If patient refuses any visits or this is the last visit to be made to the patient, check the appropriate box indicating when the case is being closed. Check "with visit" if care is closed during a home visit. Check "without visit" if case is closed during an initial phone contact or when an initial home visit attempt is made. If case will remain open, leave blank.
With Visit Without Visit	
If Case Closed, Reason for Closure	
No Longer Need Services	Check this option if the patient is stable and linked with all appropriate medical and support services.
Unable to Locate	Check this option if the nurse was unable to find the patient at the address listed on the MDR, at other locations after contacting the contact person listed on the MDR, and after additional efforts to locate the patient have been made.
Family Refused Visit	Check this option if family refuses home visits by the nurse.
Moved	Check this option if family has

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moved out of the geographic area served by the local health agency. Whenever possible, refer client to the appropriate follow-up agency for the geographic area to which they have moved.

particular woman's pregnancy (both prenatal and postpartum). Do not include the number of infant visits in this figure if the infant is also being seen.

Other
Other, Specify

Attending Physician

Indicate the name of the physician who is managing the patient's case. This may be the local physician or the physician at the Perinatal Center.

Specify reason.

Check if patient has been referred to a service/agency not listed on this form. Specify name of agency and type of service for which the referral was made.

Local Health Nurse Name
Local Health Agency

Name of nurse making home visit.
Name of the local public health nursing follow-up agency.

None Made

Check if patient does not require any additional support services at present time.

Agency Code

Four digit code assigned to your agency by the Division of Family Health.

Comments

Record any supplementary narrative information as appropriate.

Case Closed

If patient refuses any visits or this is the last visit to be made to the patient, check the appropriate box indicating when the case is being closed. Check "with visit" if care is closed during a home visit. Check "without visit" if case is closed during an initial phone contact or when an initial home visit attempt is made. If case will remain open, leave blank.

Patient Last Name and First Name

Patient last name and first name.

Birthdate

With Visit
Without Visit

Date of patient's birth (See MDR).

Patient ID Number

Copy this number from the Maternal Discharge Record (MDR).

Patient Address

Home address of patient: house number, street, city, state, zip code and county. Enter apartment number if applicable.

Phone

Home phone number of patient including area code. If there is no phone, enter N/A. If an alternate phone number is listed, note location (e.g., mother-in-law, etc.) immediately above the phone number.

If Case Closed, Reason for Closure

No Longer Need Services

Check this option if the patient is stable and linked with all appropriate medical and support services.

Unable to Locate

Check this option if the nurse was unable to find the patient at the address listed on the MDR, at other locations after contacting the contact person listed on the MDR, and after additional efforts to locate the patient have been made.

Date of Visit

Date of visit to family by community nurse.

Visit Number

Visit number which includes the total number of visits for this

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Family Refused Visit

Check this option if family refuses home visits by the nurse.

Moved

Check this option if family has moved out of the geographic area served by the local health agency. Whenever possible, refer client to the appropriate follow-up agency for the geographic area to which they have moved.

Other

Specify reason.

Other, Specify

Check if patient has been referred to a service/agency not listed on this form. Specify name of agency and type of service for which the referral was made.

None Made

Check if patient does not require any additional support services at present time.

Type of Delivery

Vaginal

If patient had vaginal delivery (spontaneous, forceps or vacuum extraction) record as vaginal.

Caesarean Section

If patient had a C-Section, record as Caesarean Section.

Other, Specify

If patient had a spontaneous abortion, induced abortion, ectopic pregnancy or hydatid mole, record as other, specifying type of outcome.

Delivery Date

Record date on which the pregnancy ended regardless of type of delivery.

Infant Status at Time of Home Visit

Alive/Linked with Medical Care

Check this option if infant is home and linked with ongoing medical/pediatric care.

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Alive/Still Hospitalized

Check this option if infant is alive, but remains in the hospital.

Deceased Prior to Discharge

Check this option if the infant was born alive, but died prior to discharge.

Deceased After Discharge

Check this option if infant was discharged alive from the hospital, but subsequently expired.

Alive/Not Yet Linked with Medical Care

Check this option if infant is home, but is not yet linked with ongoing medical pediatric care.

Not Applicable

Check this option if infant was born dead or the pregnancy resulted in a nonviable product of conception (i.e., abortion, ectopic, hydatid mole).

NB: If the patient delivered a multiple pregnancy, check whichever box(es) that apply noting the infant by birth order (i.e., #1, #2, etc.) after the appropriate entries.

Health Assessment

B/P

Enter B/P obtained during home visit.

T

Enter temperature obtained during home visit.

P

Enter pulse obtained during home visit.

R

Enter respiration obtained during home visit.

Treatment Compliance

Enter the patient's level of compliance with the treatments and/or medications ordered on the Maternal Discharge Record. If compliant, record is appropriate. If noncompliant, record as inappropriate noting the specific deficiencies and record actions taken (e.g., MD notified; patient

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advised to contact MD).

Breasts

Lactating

If breast feeding, enter the condition of the patient's breasts and level of success with breastfeeding. If there are no problems with the breasts and breastfeeding is going well, record as appropriate. If there are problems with the breasts (e.g., cracked nipples) or with the breastfeeding, record as inappropriate noting the problems and record actions taken (e.g., care of sore nipples reviewed; patient advised to see MD as soon as possible).

Non-lactating

If bottle feeding, record the condition of the breasts and level of success with bottle feeding. If there are no problems with the breasts and bottle feeding is going well, record as appropriate. If there are problems with the breasts (e.g., engorgement) or with bottle feeding, record as inappropriate noting the problems and record actions taken (e.g., care of engorged breasts reviewed).

Involution of Fundus

Enter the status of uterine involution. If nontender and at expected level of involution for degree postpartum, record as appropriate. If the uterus is tender and/or subinvolved for degree postpartum, record as inappropriate noting the problems and record actions taken (e.g., MD notified; patient advised to contact MD as soon as possible).

Lochia

Enter the color and amount of the lochia. If the color and amount

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of the lochia are at the expected level for degree postpartum record as appropriate. If the amount and/or color are not normal for degree postpartum record as inappropriate noting the problems and record actions taken (e.g., MD notified; patient advised to contact MD as soon as possible).

Incision/Episiotomy

Enter the status of the abdominal incision for C-Sections or the episiotomy if performed on vaginal deliveries. If the incision/episiotomy is healing well, record as appropriate. If the incision/episiotomy is inflamed, oozing and/or the edges are separated, record as inappropriate noting the problems and actions taken (e.g., MD notified; patient advised to contact MD as soon as possible).

Extremities

Enter the status of the extremities observed at the time of home visit. If the extremities are normal, record as appropriate. If there appears to be a phlebitis, record as inappropriate noting the problems and actions taken (e.g., MD notified).

Urinary Elimination

Enter the patient's report of urinary elimination. If patient reports no problems and does not appear to be distended, record as appropriate. If patient reports problems (e.g., frequency) and/or appears to be distended, record as inappropriate noting problems and action taken (e.g., MD notified; patient advised to contact MD as soon as possible).

Bowel Elimination

Enter the patient's report of bowel elimination. If patient reports no problems, record as appropriate. If patient reports

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problems (e.g., constipation), record as inappropriate noting problems and action taken (e.g., high fiber diet and fluids discussed; patient advised to contact MD).

Nutrition

Enter the patient's report of her nutritional status. If the patient is eating a well balanced meal or is compliant with the special diet ordered on the Maternal Discharge Record, record as appropriate. If diet is not well balanced or not compliant, record as inappropriate noting deficiency and action taken (e.g., dietary instructions reviewed).

Rest

Enter the patient's report of the amount of rest she is getting. If adequate, record as appropriate. If inadequate, record as inappropriate noting problems and action taken (e.g., options for modifying daily routines explained).

Exercise

Enter the patient's report of her general level of activity and her compliance with routine postpartum exercises. If adequate, record as appropriate. If inadequate, record as inappropriate noting problems and action taken (e.g., routine postpartum exercises reviewed).

Adjustment to:**Parenthood**

If the infant is living, enter the patient's status of adjustment to parenthood based on her report and behavior observed during the home visit. If there are no problems, record as appropriate. If problems are noted/reported, record as inappropriate noting the

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problems and action taken (e.g., support systems reviewed).

Grief, If Infant Expired

If infant expired or there was a nonviable pregnancy outcome, enter the patient's level of grief based on her report and behavior observed during the home visit. If her level of grief is appropriate for the post-death period, record as appropriate. If problems are identified, record as inappropriate noting problems and action taken (e.g., linked with parent support group).

Social Assessment**Support Systems**

Record the level of family and/or community support the family is receiving. If the support is adequate to meet their needs, record as appropriate. If support is inadequate, note deficiencies and record as inappropriate. Record actions taken (e.g., referral to homemaker services made).

Finances

Record the financial status of the family in regard to meeting basic needs (i.e., food and shelter) as well as their medical expenses. If adequate, record as appropriate. If inadequate, note deficiency and record as inappropriate. Note action taken (e.g., referred to DPA).

Family Planning

Check off the type of contraceptive method used. If refused or undecided, record as indicated.

Diaphragm

Check if patient is/will be using a diaphragm.

Birth Control Pills

Check if patient is/will be taking

Natural Methods

Check if patient is/will be using withdrawal or sympto-thermal monitoring.

Foam/Condoms

Check if patient is/will be using foam and condoms.

Male Sterilization

Check if patient's partner has had/plans to have a vasectomy.

Female Sterilization

Check if patient has had/plans to have a tubal ligation.

IUD

Check if patient has had/plans to have an IUD inserted.

Refused

Check if patient does not plan to use any family planning method.

Undecided

Check if patient understands all family planning methods but is undecided as to which method, if any, she will use.

Other

Check if patient plans to use another type of family planning method (e.g., cervical cap, contraceptive film, etc.) and specify method.

Further Local Health Nurse Care

Record when the next public health nursing visit will be made. If no further visits are planned, but patient is provided with information for contacting the agency should she desire further visits, this information should be recorded. If the case is closed and no further contact will occur, the "Reason for Closure" at top of form should be completed.

Postpartum Appointment

Check off whether the 4-6 week postpartum appointment has been completed or is scheduled (i.e., pending) along with appointment

Source of Ongoing Medical Care

Mother

Enter the source of ongoing family planning and health care for the patient.

Infant

If infant is alive and discharged, enter the source of ongoing well-child care.

Referral to Community Service

Community support services referrals made since hospital discharge. Do not include referrals made during hospital stay or at time of discharge as listed on the MDR.

None Made

Check if patient does not require any additional support service at present time.

Public Aid

Check if family referred to the Department of Public Aid.

Mental Health

Check if patient referred to a local health agency for evaluation/counseling.

Social Services

Check if referred in a social service agency for counseling or other support.

WIC/Nutrition

Check if enrolled in WIC (Women, Infants and Children) or another nutrition program.

Parenting Education

Check if patient referred to a local parenting education program.

Homemaker Services

Check if family referred to a homemaker service for assistance with shopping, housework, child care, etc.

Home Health

Check if patient referred for home health services.

date.

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Appendix I Report of Local Health Nurse, Infant

REPORT OF LOCAL HEALTH NURSE
ILLINOIS DEPARTMENT OF PUBLIC HEALTH

Section	1. Age	2. Sex	3. Race	4. Birth Date	5. Birth Time	6. Birth Place	7. Birth Weight	8. Birth Length	9. Birth Head Circumference	10. Birth Apgar 1	11. Birth Apgar 5	12. Birth Temperature	13. Birth Heart Rate	14. Birth Respiratory Rate	15. Birth Blood Pressure	16. Birth Reflexes	17. Birth Tone	18. Birth Color	19. Birth Stool	20. Birth Urine	21. Birth Feeding	22. Birth Sleep	23. Birth Activity	24. Birth Crying	25. Birth Scream	26. Birth Cough	27. Birth Sneezing	28. Birth Hiccupping	29. Birth Yawning	30. Birth Grimacing	31. Birth Blinking	32. Birth Swallowing	33. Birth Sucking	34. Birth Grasping	35. Birth Holding	36. Birth Reaching	37. Birth Smiling	38. Birth Laughter	39. Birth Startle	40. Birth Startle	41. Birth Startle	42. Birth Startle	43. Birth Startle	44. Birth Startle	45. Birth Startle	46. Birth Startle	47. Birth Startle	48. Birth Startle	49. Birth Startle	50. Birth Startle
1. Age	1	2. Sex	3. Race	4. Birth Date	5. Birth Time	6. Birth Place	7. Birth Weight	8. Birth Length	9. Birth Head Circumference	10. Birth Apgar 1	11. Birth Apgar 5	12. Birth Temperature	13. Birth Heart Rate	14. Birth Respiratory Rate	15. Birth Blood Pressure	16. Birth Reflexes	17. Birth Tone	18. Birth Color	19. Birth Stool	20. Birth Urine	21. Birth Feeding	22. Birth Sleep	23. Birth Activity	24. Birth Crying	25. Birth Scream	26. Birth Cough	27. Birth Sneezing	28. Birth Hiccupping	29. Birth Yawning	30. Birth Grimacing	31. Birth Blinking	32. Birth Swallowing	33. Birth Sucking	34. Birth Grasping	35. Birth Holding	36. Birth Reaching	37. Birth Smiling	38. Birth Laughter	39. Birth Startle	40. Birth Startle	41. Birth Startle	42. Birth Startle	43. Birth Startle	44. Birth Startle	45. Birth Startle	46. Birth Startle	47. Birth Startle	48. Birth Startle	49. Birth Startle	50. Birth Startle

Send original to: Illinois Department of Public Health, Regional MCH Nurse,
Catalina-Reporting Hospital: Print Local Health Nurse Agency; Goldenrod-Primary Care Physician.

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Appendix J Instructions for Completing the Report of Local Health Nurse, Infant
Print the Infant's last name and first name.

Sex

Circle M for male or F for female.

Birthdate

Enter the date of infant's birth (See IDR).

Patient ID Number

Copy this Patient Identification number from the Infant Discharge Record (IDR).

Street Address, Apartment Number, City, Zip

Print the home address of infant: house number, street, apartment number, city and zip code.

Local Health Agency

Print the name of health department or agency responsible for providing high risk follow-up.

Agency Code

Print the code number of health department/agency making follow-up visits.

Hospital of Delivery

Enter the name of the hospital of infant's birth. (See IDR).

Reporting Hospital

Enter the name of the hospital completing the infant discharge record.

Reporting Hospital Code

Do not enter; the code will be entered at IDPH.

Chronological Age

Enter the age of the infant in weeks or months calculated from date of birth. Age in weeks should be used during the first year of life.

Corrected Age

Enter the age of the infant in weeks based on gestational age at birth (see IDR). Subtract the gestational age from 40 weeks, then subtract this difference from the chronological age at the time of the visit.

Mother's First Name

Print the first name of the infant's

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mother. (See IDR).

Visit Number

Check the appropriate visit number. Check "interim visit" box if visit is in addition to 5 required visits. PLEASE NOTE: Contract agencies must complete this form and submit it to IDPH for all visits both regular and interim. Health Departments are only required to complete this form and submit it to IDPH for 5 required visits.

Mother's Last Name

Print the last name of the infant's mother (See IDR).

Nurse Making Visit

Print the name of the nurse making home visit.

Date of Visit

Enter the date of visit to family by community nurse.

Case Closed

If the case is to be closed, check whether a home visit was made at the time of case closure.

Reason for Closure

Completed Program

Check this option if all 5 visits (post-discharge, 6, 12, 18 and 24 months) or more have been made.

Infant Expired

Check this option if infant died after discharge from hospital.

Unable to Locate

Check this option if the nurse was unable to find the infant/ family at the mother's address listed on the IDR, at other locations after contacting the contact person listed on the IDR, and after additional efforts to locate the infant/family have been made.

Refused Visit

Check this option if family refuses home visits by the nurse.

Moved

Check this option if family has moved out of the geographic area served by the local health agency. Whenever possible, refer client to the appropriate follow-up agency for the geographic area to which they have moved.

Other

Check if the infant has a minor anomaly (e.g., skin tag, anomaly of nails) that does not require follow-up, or other reason. Specify reason.

Name Primary Care M.D.

Print the name of the physician who will be providing primary care for infant.

Telephone

Enter telephone number of primary care physician.

Discharge Diagnosis(es)

Enter all diagnoses that are listed on the IDR. NOTE: this item should be completed only once, on the first Infant Report completed after discharge.

Present Parental Concerns

Print a narrative description of any concerns expressed by parents about the infant or family situation. Usually this information is elicited at the beginning of the visit to assure that concerns are adequately addressed in a timely manner.

Post Discharge Diagnoses/Major Unresolved Discharge Diagnoses

This section is designed for updating diagnoses, i.e., list diagnoses made since discharge or since last home visit. List also any unresolved discharge diagnoses.

Medications

Indicate (yes or no) whether family is giving infant medications as prescribed. If not, the nurse may indicate her recommendations and/or actions to promote compliance.

Medication Allergies

List any allergies evidenced by infant.

Drugs Added to Discharge Regimen

List only drugs added to regimen since hospital discharge or since last home visit. (Medications prescribed at time of discharge are listed on IDR).

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Treatments/Assistive
Devices Added to Discharge Regimen

List any treatments/assistive devices prescribed by physicians since discharge or since last visit by nurse.

Genetic Screening

Family History

Indicate (yes or no) whether there is a family history (other children, parents, grandparents, aunts and uncles) of any genetic problems. If yes, list conditions that apply.

Newborn Screening

Indicate (yes or no) whether parents know if required screening for six genetic diseases (PKU, hypothyroidism, galactosemia, biotinidase deficiency, congenital adrenal hyperplasia and hemoglobinopathies) was completed in the hospital.

Nutrition

Enter an assessment of infants nutritional intake and appropriateness for age. Include any teaching or counseling provided parents. If family has nonpublic water supply, check if water has been tested for nitrates.

Elimination

Enter an assessment of elimination function, including parental concerns, and teaching or counseling provided.

Sleep Activity

Enter an assessment of infant's sleep/wake patterns and any teaching or counseling provided.

Parent/Infant Interaction

Enter an assessment of parents' ability to respond appropriately to infant at each emotional and developmental stage. Consider also infant's temperament and response to parents.

Family Coping

Enter an assessment of social supports available to family in the home and community. Enter an assessment of financial resources and family function.

Safety

Indicate any safety hazards in environment and teaching provided on

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Immunizations

accident prevention and use of car seat. Indicate dates immunizations are given and by whom provided, i.e., health department or physician. Check if physician has recommended deferring any immunization for medical reasons.

If a tuberculin skin test is indicated, write in "TB Skin Test" after "Other, Specify" and indicate date given and results (if known).

Physical Assessment

Height

Measure length and record in inches. Plot on growth chart for corrected age. Check "appropriate" on Report Form if between 5th and 95th percentile. Otherwise check "inappropriate." If infant is premature, plot weight for height on growth chart and check "appropriate" on Report Form if weight for height is between 5th and 95th percentile. Otherwise check as "inappropriate."

Alternatively, premature infant growth charts may be utilized.

Weight

Enter weight in pounds. Plot on growth chart according to corrected age and check "appropriate" if between 5th and 95th percentile. Otherwise check "inappropriate." For premature infants, check as explained above under "height."

Vision Screen

Check "appropriate" if, after screening, vision appears normal. Check "inappropriate" if, after screening, there is uncertainty about infants ability to see normally.

Hearing Screen

Check "appropriate" if, after screening, hearing seems normal. Check "inappropriate" if unsure of infants ability to hear normally.

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General Appearance

General appraisal of infant. Check whether "normal," "questionable" or "abnormal." If "questionable" or "abnormal," describe findings. If "questionable" or "abnormal," describe recommendation/action for follow-up.

Remaining Items on Physical Assessment

Continue with physical assessment checking "appropriate" when findings appear to be within normal limits. When findings are questionable or outside of normal limits, check "inappropriate" and describe findings in section below ("Describe Inappropriate Findings") by number.

Head Circumference

Enter size of infant's head at largest diameter in centimeters. After plotting head circumference on a growth chart at corrected age, check "appropriate" if head circumference is between 5th and 95th percentile. Check "inappropriate" if greater or equal to 96th percentile, or less or equal to 4th percentile.

Developmental Screening: Reaction, Skills, and Abilities (RSA)

Select the RSA age closest to the corrected age of the infant. Assess the developmental milestones for that age and place a check in the "yes" column if infant has achieved a milestone. Check the "no" box if infant has not achieved the milestone.

Results of RSA Screening

Normal

Check "normal" if infant has achieved all developmental milestones for his age group.

Questionable

If infant misses one or more items for his age group, check "questionable." Screen at next lower age group. Rescreen in one to two months at appropriate age level.

Referral

If infant cannot complete all items for his age group on rescreening in one to

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Nursing Care Provided

two months, refer for further evaluation and check "referral."

If any additional nursing care is provided, it may be recorded in this section.

Plans for Additional Nursing Care

Future plans for care may be documented here.

Support Service Referral

Community support service referrals made since hospital discharge (referrals made at or before time of hospital discharge are listed on IDR) or since last home visit. List name of agency and date of next appointment to assist with follow-up.

Developmental Screening/Testing

Check if infant has been referred to another agency for developmental screening or testing.

DCFS

Check if infant has been referred to the Department of Children and Family Services.

DSCC

Check if infant has been referred to the Division of Services for Crippled Children.

Genetic Diagnosis and/or Counseling

Check if family has been referred for genetic diagnosis and/or counseling. (For information on location of services, contact the Genetic Disease Program, Division of Family Health, IDPH).

Home Health

Check if infant has been referred for home health services.

OT

Check if infant has been referred for occupational therapy.

PT

Check if infant has been referred for physical therapy.

Social Services

Check if infant has been referred to a social service agency for counseling or

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other support.

WIC/Nutrition

Check if infant has been referred to WIC (Women, Infants and Children) or another nutrition program.

0-2 Program

Check if infant has been referred to a 0-2 (0-3) program.

Other, Specify

Specify if referral has been made to an agency not listed above.

Needed but Unavailable

Specify type of service needed by family which is unavailable within a reasonable distance.

None Made

Check if no referrals were made.

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Appendix K Sample Letter of Agreement

_____ (Name of Perinatal Center) is recognized and designated by the Illinois Department of Public Health as a Level III Perinatal Center providing obstetrical and neonatal care. In order to serve as a Level I, II, III affiliated perinatal facility designated by the Illinois Department of Public Health

_____ (Name and address of hospital) agrees to affiliate with the above Perinatal Center.

This agreement is consistent with the Adopted Rules of the Illinois Department of Public Health, Regionalized Perinatal Health Care code (77 Ill. Adm. Code 640).

Components for Letter of Agreement

I. Introductory Remarks: The Perinatal Center may list items of organization of the Center.

II. Perinatal Center Obligations

A. A 24-hour obstetrical and neonatal "hot-line" for immediate consultation, referral or transport of perinatal patients is available.

Obstetrical Hospital Telephone # _____ Neonatal Hospital Telephone # _____

B. The Perinatal Center will accept all medically eligible obstetrical/neonatal patients.

C. If the above named Perinatal Center is unable to accept a referred maternal or neonatal patient because of bed unavailability, that Center will assist in arranging for admission of the patient to another facility capable of providing the appropriate level of care.

D. Transportation of neonatal patients remains the responsibility of the Perinatal Center. Decisions regarding transport and mode of transport will be made by the Perinatal Center neonatologist in collaboration with the referring physician.

E. Transportation of the obstetrical patient remains the responsibility of the (Level I, Level II, or Level III facility). Decisions regarding transport, transfer and mode of transport or transfer will be made by the Perinatal Center Maternal-Fetal Medicine physician in collaboration with the

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referring physician.

F. The Maternal-Fetal Medicine physician of the Perinatal Center in collaboration with the referring physician will decide whether to have an obstetrical patient stabilized before transfer, kept in the affiliated unit or transferred immediately. The best possible alternatives and the staff needed for transport will be determined.

G. Written protocols for the mechanism of referral/transfer/transport will be distributed by the Perinatal Center to the affiliated hospital physician, administration and nursing service. This is to include a mechanism for data recording of the time, date and circumstances of transfer so this information can be utilized as part of the morbidity and mortality reviews. (See Appendix A)

H. A written summary of patient management and outcome will be sent by the Perinatal Center to the referring physician of record and to the hospital's chart.

I. The Perinatal Center will conduct periodic mortality and morbidity conferences at _____ Hospital.

1. The conference will be conducted by the Perinatal Center's Maternal-Fetal Medicine physician, neonatologist, nursing coordinator and/or obstetrical and neonatal nurse educators.

2. _____ Hospital will prepare written summaries of cases and statistics for discussion, to be available to the Perinatal Center at least one week prior to the conference.

3. The content of the review will be determined by the Regional Perinatal Management Group of each Network. The review must include but not be limited to stillbirths, neonatal deaths, maternal and/or neonatal transports.

J. The Perinatal Center will transfer patients back to the referring hospital when medically feasible in accordance with physician to physician consultation.

K. The Perinatal Center will develop and offer Perinatal Outreach Education programs at a reasonable cost to include the following:

1. On-site consultation by Perinatal Center physicians and nurse educators as needed.

2. Periodic obstetrical and neonatal needs assessment of _____ Hospital.

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3. Provide _____ Hospital with protocols for patient management.

4. Develop Continuing Medical Education programs for obstetricians, pediatricians and family practitioners either at _____ Hospital or at the Perinatal Center site.

5. Mini-Fellowships at the Perinatal Center for _____ Hospital physicians and nurses.

6. Programs based on needs assessment by outreach nurse educators at _____ Hospital for obstetrical and neonatal nursing staff.

L. The Perinatal Center will establish, maintain and coordinate the educational programs offered by and for all Level I, Level II, and Level III Hospitals for which they serve.

M. The Perinatal Center shall develop a Regional Perinatal Management Group, including but not limited to, representatives of each hospital in the Perinatal Network. This group shall meet at least quarterly to plan management strategies, evaluate morbidity and mortality reviews, evaluate the effectiveness of current programs and services and to set future goals. The Regional Perinatal Management Group shall determine the data collection system to be used by the Regional Perinatal Network.

III. _____ Hospital Obligations

A. _____ Hospital will utilize the "hot-line" established by the Perinatal Center for consultation, referral and transport.

B. _____ Hospital will transfer to _____ Perinatal Center obstetrical and neonatal patients who require the services of the Perinatal Center, including but not limited to, patients outlined in the perinatal rules and regulations (See Appendix B for patients to be included for consultation, treatment or transfer).

C. _____ Hospital (level of care) will usually care for the following maternal and neonatal patients. (See Appendix C)

D. _____ Hospital will develop an ongoing in-house continuing educational program for the obstetrical and neonatal medical staff and other disciplines as needed.

E. _____ Hospital will participate in continuing educational programs for both nurses and physicians developed by the _____ Perinatal Center. Cost to be shared.

F. _____ Hospital will designate representatives to serve on the _____ Regional Perinatal Management Group.

G. _____ Hospital will establish a Perinatal Development Committee composed of medical and nursing representatives from both neonatal and obstetrical areas, administration any any other individuals deemed appropriate.

H. _____ Hospital will maintain and share such statistics as the _____ Regional Perinatal Management Group may deem appropriate.

I. _____ Hospital to develop or to utilize programs at _____ Perinatal Center for follow-up of neonates with handicapping conditions.

IV. Joint Responsibilities

A. This agreement will be valid for one year at which time it may be renewed or re-negotiated.

B. If either the _____ Hospital or the _____ Perinatal Center wish to change an individualized portion of this agreement, either may initiate the discussion. If a change in the agreement is reached it must be reviewed by the Perinatal Advisory Committee. If the _____ Hospital wishes to make a change and _____ Perinatal Center is not in agreement, _____ Hospital can request a hearing by the Perinatal Advisory Committee.

C. If any of the institutions wants to terminate the agreement, written notification must be given to other participating institutions six months in advance.

Appendix A - Written protocol for referral/transfer/transport

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Appendix B-Level I: Patients for consultation with
(Level III facility or Perinatal Center).

1) Maternal Conditions

A) Previous Pregnancy Problems:

- i) Premature infant
- ii) Perinatal death or mental retardation
- iii) Isoimmunization
- iv) Difficult deliveries
- v) Congenital malformations
- vi) Mid-trimester loss

B) Current Pregnancy Problems:

- i) Any medical disorder (e.g. Diabetes mellitus, hemoglobinopathy, chronic hypertension, heart disease, renal disease)
 - ii) Drug addiction
 - iii) Multiple gestation
 - iv) Intrauterine growth retardation
 - v) Preterm labor less than or equal to 36 weeks
 - vi) Postdate greater than or equal to 42 weeks
 - vii) Third trimester bleeding
 - viii) Abnormal genetic evaluation
 - ix) Pregnancy induced hypertension
- 2) Neonatal Conditions
- A) Gestation less than or equal to 36 weeks, weight less than or equal to 2500 grams
 - B) Small-for-gestational age (less than 10th percentile)
 - C) Sepsis

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D) Seizures

E) Congenital heart disease

F) Multiple congenital anomalies

G) Apnea

H) Respiratory distress

I) Neonatal asphyxia

J) Infants identified as having handicapping conditions or developmental disabilities which threaten life or subsequent development

K) Severe anemia

L) Hyperbilirubinemia, not due to physiologic cause

M) Polycythemia

3) Exceptions

A) Any exception to the above standards must be defined in Appendix C of the letter of agreement. However, no exceptions to the above standards of care shall be granted in the letter of agreement for the following:

- i) Premature labor or premature birth less than or equal to 36 weeks gestation.
- ii) Weight less than or equal to 2500 grams.

Appendix B-Level II: Patients for consultation with or transfer to _____ (Level III facility or Perinatal Center).

1) Maternal Conditions (Consultation)

- A) Essential hypertension on medication
- B) Chronic renal disease
- C) Chronic medical problems with known increase in perinatal mortality or morbidity
- D) Prior birth of neonate with serious complication resulting in a handicapping condition

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E) Abnormalities of the reproductive tract known to be associated with an increase in preterm delivery

F) Previous delivery of preterm infant 34 weeks gestation

2) Maternal Conditions (Transfer)

A) Patients from the above consultation list, which deemed advisable by mutual collaboration between Maternal-Fetal Medicine physician at the Level III facility and the obstetrician at the referring office of hospital.

B) Isoimmunization with possible need for intrauterine transfusion.

C) Suspected congenital anomaly compatible with life.

D) Insulin-dependent diabetes mellitus.

E) Cardiopulmonary disease with functional impairment.

F) Multiple gestation with exception of twins.

G) Premature labor prior to 34 weeks.

H) Premature rupture of membranes prior to 34 weeks.

I) Medical and obstetrical complication of pregnancy, possibly requiring induction of labor or cesarean section for maternal or fetal conditions prior to 34 weeks gestation.

J) Severe preeclampsia or eclampsia.

3) Neonatal Conditions (Consultation or transfer): Specify whether consultation or transfer will be done for each of the following:

A) Gestation less than 34 weeks or less than 1800 grams.

B) Sepsis unresponsive to therapy.

C) Seizures.

D) Congenital heart disease.

E) Major congenital malformations requiring surgery.

F) Infants requiring ventilation after initial stabilization (greater than 6 hours).

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G) Infants with oxygen requirements in excess of 50%.

H) Infants with Apgar scores of 5 or less at 5 minutes.

I) All neonates requiring major surgery.

J) Persistent metabolic derangement (e.g., hypocalcemia, hypoglycemia, metabolic acidosis).

K) Infants identified as having handicapping conditions or developmental disabilities which threaten life or subsequent development.

3) Exceptions

A) Any exception to the above standards must be defined in Appendix C of the letter of agreement. However, exceptions to the above standards shall not be granted in the letter of agreement unless reviewed and approved by the department for the following:

1) Premature labor or premature birth less than or equal to 32 weeks gestation.

11) Birth weight less than or equal to 1250 grams.

111) Mechanical ventilation beyond the initial stabilization period (6 hours).

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NOTICE OF PROPOSED RULES

Appendix C-Level I: Maternal and Neonatal patients to be cared for at _____ hospital.

1) Maternal

- A) The maternal patient with an uncomplicated current pregnancy.

2) Neonatal

- A) The neonatal patient greater than 36 weeks gestation or greater than 2500 grams without risk factors and infants with physiologic jaundice.

Appendix C Level II: Maternal and neonatal patients to be cared for at _____ hospital.

1) Maternal

- A) The maternal patient with uncomplicated current pregnancy.
 B) Normal current pregnancy although previous history may be suggestive of potential difficulties.
 C) Selected medical conditions such as mild hypertension or controlled thyroid disease where there is no increase in perinatal morbidity.
 D) Selected obstetric complications such as pre-eclampsia or premature labor greater than 34 weeks.
 E) Incompetent cervical os.

2) Neonatal

- A) Neonatal patients greater than 34 weeks gestation or greater than 1800 grams without risk factors.
 B) Mild to moderate respiratory distress (not requiring mechanical ventilation in excess of 6 hours).
 C) Suspected neonatal sepsis, hypoglycemia, neonates of diabetic mothers and post-asphyxia without life threatening sequelae.
 D) Nursing care of premature infants greater than 1800 grams who are other wise well.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Non-Financial Eligibility Criteria

- 2) Code Citation: 89 Ill. Adm. Code 685:

- 3) Section Numbers:
685.600
Proposed Action:
Amendment

- 4) Statutory Authority: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434(g))
- 5) A Complete Description of the Subjects and Issues Involved:
The amendment to Section 685.600 is being proposed in order to replace the term "service cost limitation" with "service cost maximum".

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
— Yes ☒ No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation
 10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit data, views, argument or comments about this rulemaking. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 685

NON-FINANCIAL ELIGIBILITY CRITERIA

Section
685.10 Application of Non-Financial Requirements
685.100 Citizenship
685.200 Residence
685.300 Age
685.400 Disability
685.500 Need for Long-Term Care
685.600 Service Cost Limitation Maximum
APPENDIX A Institutional Cost Tables

AUTHORITY: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 8898, effective July 18, 1983; amended at 8 Ill. Reg. 15967, effective August 31, 1984; amended at 9 Ill. Reg. 9167, effective June 4, 1985; amended at 13 Ill. Reg. 5151, effective March 31, 1989; amended at 13 Ill. Reg. _____, effective _____.

Section 685.600 Service Cost Limitation Maximum

- a) If all other factors of eligibility are met, local office staff will prepare an individualized service plan for each client to address all unmet service needs of the client as measured by the Determination of Need Scale and according to the provisions of 89 Ill. Adm. Code 700. The cost of the required services on this plan may not exceed the amount the state would expect to pay for the institutional care of a client having similar scores on the Determination of Need Scale, which is delineated as follows:

Total Determination of Need Score	Service Cost Limitation Maximum
18 through 27	No more than \$ 406
28 through 32	No more than \$ 539
33 through 45	No more than \$ 673
46 through 56	No more than \$ 748
57 through 67	No more than \$ 896

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

68 through 78 No more than \$ 1,052
 79 through 87 No more than \$ 1,139
 88 through 96 No more than \$ 1,225

- b) Certain cases on hand June 30, 1983, which have case costs that exceed the maximum projected monthly institutional cost, may continue to be subject only to the institutional cost standards in force prior to July 1, 1983 (see Appendix A). All cases on hand June 30, 1983, will otherwise be subject to this and all other eligibility criteria stated in 89 Ill. Adm. Code: Chapter IV, Subchapter d.

- c) Where changes of service needs are temporary and do not otherwise require a redetermination, an average monthly cost will be used to accommodate situations in which a client temporarily has a service need where costs would exceed the projected monthly institutional cost, but where the average monthly service cost over a 12 month period would be within the allowable maximums. For the purposes of this provision, the 12 month period would include the 11 previous months, if applicable, plus the month of the temporarily increased service cost. This determination of average cost will be conducted for each month of service in which the service cost exceeds the monthly maximum.

- d) Denial of HSP Service Eligibility

- 1) Eligibility for HSP services is to be denied if:
- The client's physician will not certify the safety of serving the client at home.
 - The services necessary to an adequate service plan are not available or cannot be provided.
 - The service plan cannot be designed by local office staff to adequately meet the client's essential needs within the service cost ~~limitation~~ maximum.
- 2) Where clients are denied services for any of these reasons, the client shall be referred for assistance to a local social service agency, local home health agency or visiting nurses association if the client refuses needed institutional care.

(Source: Amended at 13 Ill. Reg. _____,
 effective _____)

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

- The Heading of the Part: PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD
- Code Citation: 80 Ill. Adm. Code 150
- Section Numbers: Proposed Action:
150.670 Amendment
- Statutory Authority: Ill. Rev. Stat., ch. 121, par. 307.8 and 307.13
- A Complete Description of the Subjects and Issues Involved:
In a compromise agreement with the Joint Committee on Administrative Rules, the Board has outlined the guidelines to be used for the granting of a continuance in disciplinary hearings.
- Will these proposed amendments replace any Emergency Amendments currently in effect? No
- Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- Does these proposed amendments contain incorporations by reference? No
- Are there any other amendments to this Part pending? No
- Statement of Statewide Policy Objectives: Not Applicable
- Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within fourteen (14) days of the date of publication of this Notice, any interested person may request the opportunity to submit comments, data, views or arguments regarding the proposed amendments. The request and submissions must be in writing and directed to: Mr. James E. Seiber, Executive Director, Department of State Police Merit Board, 2425 Stevenson Drive, Springfield, Illinois 62703. The Board will consider any written submission or comments if the request to comment is mailed within fourteen (14) days of the date of publication of this Notice, and is received in writing by the Board within thirty (30) days of the date of publication of this Notice.

DEPARTMENT OF STATE POLICE MERIT BOARD
NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis: The Department of State Police Merit Board has determined that this rulemaking will not affect small business.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF STATE POLICE MERIT BOARD
NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150
PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section
150.10 Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section
150.210 Qualifications
150.220 Selection Procedures
150.230 Recertification
150.240 Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section
150.310 Ranks
150.320 Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section
150.410 Board Responsibilities
150.420 Eligibility
150.430 Procedures
150.440 Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section
150.510 Merit Board Jurisdiction
150.520 Discipline Afforded the Deputy Director
150.530 Notification to Suspended Officer

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENTS

150.540 Petition for Review
 150.550 Form and Content of Petition for Review
 150.560 Filing Procedures
 150.565 Procedure for Processing Petition for Review
 150.570 Director's Review
 150.575 Discipline Afforded the Director
 150.580 Complaint Procedures
 150.585 Scheduling the Hearing
 150.590 Notification to Officer

SUBPART F: HEARINGS

150.610 Board Docket
 150.620 Hearing Officer
 150.630 Pre-hearing Conferences
 150.640 Motions
 150.650 Subpoenas
 150.655 Request for Witnesses or Documents
 150.660 Evidence Depositions
 150.665 Hearing Procedures
 150.670 Continuances and Extensions of Time
 150.675 Computation of Time
 150.680 Decisions of the Board
 150.685 Service and Form of Papers

Appendix A Vision Standards

Appendix B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of "AN ACT in relation to the Department of State Police" (Ill. Rev. Stat. 1987, ch. 121, pars. 307.3 through 307.14 and 307.8, as amended by P.A. 85-1042, effective July 1, 1988).

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency rule at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; Emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State

DEPARTMENT OF STATE POLICE MERIT BOARD

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Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985 at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 1752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; amended at ___ Ill. Reg. ___, effective ___.

Section 150.670 Continuances and Extensions of Time

a) The Board, or a Hearing Officer appointed by the Board to conduct a hearing, may, for good cause shown on a timely motion after notice to the opposite party, continue or extend any date or proceeding scheduled under this Part. A request for continuance of a hearing is directed to the sound discretion of the Hearing Officer to whom the case has been assigned for hearing. Such request may be granted, for good cause shown, provided the request is received by the Department not less than three (3) days prior to the hearing date unless good cause is shown within the three days or during the hearing due to the need for new evidence, sudden unavailability of counsel, sudden illness of a party, or similar reasons. Such request prior to the hearing shall be in writing and shall set forth the grounds alleged therefore. "Good cause" is shown when a Petitioner or Respondent demonstrates a real and compelling need for additional time. "A real and compelling need" includes, but is not limited to, service in the armed forces, serious illness, family death, act of God, relating to either party or that party's attorney.

b) Granting or denying a continuance or extension is within the discretion of the Board or the Hearing Officer. No Formal Hearing shall be continued "generally". A continuance, when granted, shall state a date certain, not more than sixty (60) days from the prior hearing date at which time the hearing shall reconvene.

c) Except for emergencies, motions for continuances or extensions to be deemed timely filed must be asserted at least 72 hours prior to the scheduled event towards which the relief is sought.

OFFICE OF THE STATE FIRE MARSHAL

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Fire Prevention and Safety
- 2) Code Citation: 41 Ill. Adm. Code 100
- 3) Section Numbers: 100.110 Adopted Action: New Section
- 4) Statutory Authority: Implementing and authorized by Section 9 of "AN ACT relating to the investigation and prevention of fire" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 9).
- 5) Effective Date of Amendment: July 14, 1989
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this amendment contain incorporations by reference: No
- 8) Date Filed in Agency's Principal Office: June 26, 1989
- 9) Notice(s) of Proposal Published in Illinois Register: February 3, 1989, 13 Ill. Reg. 1323
- 10) Has JCAR issued a Statement of Objection to this rule? No
- 11) Difference(s) between proposal and final version: Statutory references and language were modified.
- Emergency force notification requirements were changed to require notification at 100 (rather than 20) clients, or where NFPA 101 would require a sprinkler.
- Fire alarm system changes are not required until January 1, 1991.
- Smoke detectors for facilities with less than 20 clients must be powered by the building electrical service and must be installed by January 1, 1990.
- Self closures on doors may be omitted on certain corridor doors for rooms protected by a smoke detection system.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule amendment currently in effect? No

- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: To provide fire safety in day care centers.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Jack Ahern
Address: 1035 Stevenson Drive, Springfield, IL 62703-4259
Telephone: (217) 786-7176

The full text of the Adopted Rule(s) (Amendments) begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 41: FIRE PROTECTION
CHAPTER 1: OFFICE OF THE STATE FIRE MARSHAL

PART 100

FIRE PREVENTION AND SAFETY

Section

- 100.1 Introduction
- 100.3 Title, Jurisdiction, Powers, Penalties, Right of Entry, Existing Structures
- 100.4 Building Construction Types
- 100.5 Fire Areas
- 100.7 Adoption of NFPA 101, Life Safety Code by Reference
- 100.110 Modification of N.F.P.A. 101 (1985) for Existing Day Care Facilities and Programs

APPENDIX A Modification of Standards Referenced in NFPA 101

AUTHORITY: Implementing and authorized by Section 9 of "AN ACT relating to the investigation and prevention of fire" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 9).

SOURCE: Illinois Rules and Regulations for Fire Prevention and Safety, amended September 24, 1973; amended Jan. 8, 1974; Rules and Regulations relating to Fireworks filed October 8, 1974; codified at 5 Ill. Reg. 10673; amended at 6 Ill. Reg. 13021, effective December 15, 1982; amended at 7 Ill. Reg. 16399, effective January 1, 1984; amended at 9 Ill. Reg. 1009, effective July 1, 1985; Sections 100.81, 100.82 and 100.85 recodified to 41 Ill. Adm. Code 105.5, 105.10 and 105.20 at 11 Ill. Reg. 5992; Part repealed, new Part adopted at 12 Ill. Reg. 8017, effective August 1, 1988; emergency amendment at 13 Ill. Reg. 582, effective January 3, 1989, for a maximum of 150 days; emergency expired June 2, 1989; amended at 13 Ill. Reg. 12547, effective July 14, 1989.

Section 100.110 Modification of N.F.P.A. 101 (1985) for Existing Day Care Facilities and Programs

a) Definitions:

"Day Care Center" and programs are defined in Section 2.09 of the Child Care Act of 1969, (Ill. Rev. Stat. 1987, ch. 23, par. 2212.09).

"Child Care Facility" is defined in Section 2.05 of the Child Care Act of 1969, (Ill. Rev. Stat. 1987, ch. 23, par. 2212.05).

"Existing" means those already in existence on August 1, 1988, for the building area and number of clients on that date.

- b) Existing Day Care Facilities and programs subject to inspection by the Office pursuant to the Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, par. 2201 et seq.), and which provide care for children less

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

than 24 hours per day, shall be inspected in accordance with Chapter 11 of NFPA 101 (1985).

- c) Child-to-Staff ratio shall comply with 89 Ill. Adm. Code 406 and 407 rather than N.F.P.A. 101 (1985) Section 11-7.1.1.1.

- d) Detection, alarm and communication systems for Day Care Facilities and programs shall comply with the following rather than the provisions of NFPA 101 (1985), Section 11-7.3.4.

- 1) Day Care Facilities and programs with 20 or more clients, or located above or below the level of exit discharge regardless of number of clients, shall be provided with a fire alarm system in accordance with NFPA 101 (1985) Section 7-6, and must include:

- A) A smoke detection system meeting the requirements of NFPA 72A (1985), with detectors installed:

- i) on the uppermost ceiling of each interior stairwell, and on every level (including basements), except in unoccupied attics, and at the beginning and end of each corridor 200 or more feet in length, and
- ii) in front of doors to stairwells and at intervals of no less than 30 feet in all corridors of all floors used by the child care facilities and programs, except in those facilities with smoke detection in every room off every corridor used by the child care facility and programs, and
- iii) in all lounges, recreation areas and sleeping rooms.

- B) Rate of rise/fixed temperature, fixed temperature, or other fire detectors (as described in NFPA 72A-E (1985)) shall be installed in boiler rooms, kitchens, and hazardous and combustible storage areas except where a sprinkler system with a flow alarm connected to the fire alarm system is installed in such rooms.

- C) Initiation of the fire alarm system, including occupant, and emergency force notification, shall be by manual means and by operation of any required detectors.

- D) Occupant notification must be in accordance with NFPA 101 (1985) Section 7-6.3, and

- E) Emergency force notification in accordance with NFPA 101 (1985) Section 7-6.4 (a)-(d) must be provided where the day care facilities and programs have 100 or more clients or are of a construction type that would require a sprinkler system based upon N.F.P.A. 101 (1985) 11-7.1.6.1 (see subsection (e)) below for new table), except where all rooms occupied by the Day Care Facilities and programs have a direct exterior exit.

- F) Day Care Facilities and programs existing on August 1, 1988 shall install the new alarm system by January 1, 1991 and maintain the fire alarm systems required by prior rules until the new systems are installed.

- 2) Day Care Facilities and programs with up to 19 clients shall have:

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED
2) Code Citation: 89 Ill. Adm. Code 113
3) Section Number: Adopted Action:

113.302 Amendment

- 4) Statutory Authority: Sections 3-1, 3-6, 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 3-1, 3-6, 5-4 and 12-13)

- 5) Effective Date of Amendment: July 12, 1989

- 6) Does this rulemaking contain an automatic repeal date?
___ Yes X No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: July 12, 1989

- 9) Notice of Proposal Published in Illinois Register:

April 7, 1989 (13 Ill. Reg. 4481)

- 10) Has JCAR issued a Statement of Objections to this amendment? No

- 11) Differences between proposal and final version: No changes were made to the text of the amendment.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this Amendment replace an Emergency Amendment currently in effect? No

- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
113.130	Amendment	September 30, 1988 (12 Ill. Reg. 15475)
113.157	Amendment	April 21, 1989 (13 Ill. Reg. 5440)

NOTICE OF ADOPTED AMENDMENT

- 15) Summary and Purpose of Amendment: At the behest of the Joint Committee on Administrative Rules, the Department is clarifying the language in this rulemaking regarding the beginning date for when the Department will pay medical bills.

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel
100 South Grand Avenue East
Third Floor
Springfield, Illinois 62762
Address:
Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113

AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section	
113.1	Description of the Assistance Program
113.5	Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
113.9	Client Cooperation
113.10	Citizenship
113.20	Residence
113.30	Age
113.40	Blind
113.50	Disabled
113.60	Living Arrangement
113.70	Institutional Status
113.80	Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
113.100	Unearned Income
113.101	Budgeting Unearned Income
113.102	Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.103	Initial Receipt of Unearned Income
113.104	Termination of Unearned Income
113.105	Unearned Income In-Kind
113.106	Earmarked Income
113.107	Lump Sum Payments and Income Tax Refunds
113.110	Budgeting Earned Income
113.111	Protected Income
113.112	Earned Income
113.113	Budgeting Earned Income
113.114	Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.115	Initial Employment
113.116	Budgeting Earned Income For Contractual Employees
113.117	Budgeting Earned Income For Non-contractual School Employees

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section	
113.118	Termination of Employment
113.120	Exempt Earned Income
113.125	Recognized Employment Expenses
113.130	Income From Work/Study/Training Programs
113.131	Earned Income From Self-Employment
113.132	Earned Income From Roomer and Boarder
113.133	Earned Income From Rental Property
113.134	Earned Income In-Kind
113.139	Payments from the Illinois Department of Children and Family Services
113.140	Assets
113.141	Exempt Assets
113.142	Asset Disregard
113.143	Deferral of Consideration of Assets
113.154	Property Transfers
113.156	Court Ordered Child Support Payments of Parent/Step-Parent
113.160	Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

Section	
113.245	Payment Levels for AABD
113.246	Personal Allowance
113.247	Personal Allowance Amounts
113.248	Shelter
113.249	Utilities and Heating Fuel
113.250	Laundry
113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care Rates

SUBPART E: OTHER PROVISIONS

Section	
113.300	Persons Who May Be Included In the Assistance Unit
113.301	Grandfathered Cases

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Section

113.302 Interim Assistance
 113.303 Special Needs Authorizations
 113.304 Retrospective Budgeting
 113.305 Budgeting Schedule
 113.306 Purchase and Repair of Household Furniture
 113.307 Property Repairs and Maintenance
 113.308 Excess Shelter Allowance
 113.320 Redetermination of Eligibility
 113.500 Attorney's Fees for SSI Appellants

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill.

Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9

DEPARTMENT OF PUBLIC AID

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NOTICE OF ADOPTED AMENDMENT

NOTICE OF ADOPTED AMENDMENT

Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 25, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553 effective July 12, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART E: OTHER PROVISIONS

Section 113.302 Interim Assistance

- a) When an individual makes application for AABD (SSP) the application shall be approved for Interim Assistance pending determination of categorical relatedness by the Social Security Administration (SSA), if countable income is less than the Payment Level for Interim Assistance (see Section 113.245) and all other eligibility criteria except for determination of categorical relatedness have been

Section 113.302 Interim Assistance (Cont'd)

met. It shall be a condition of eligibility for Interim Assistance to have filed an application for Supplemental Security Income (SSI).

- b) Medical eligibility for Interim Assistance cases begins the earliest one of the following months in which all eligibility requirements are met (see 89 Ill. Adm. Code 110.32):

- 1) the third month before the month of application, or
- 2) the month of application or,
- 3) the first month eligibility begins following the month of application.

- c) To be medically eligible means that all eligibility requirements for Interim Assistance are met for the month even though Interim Assistance may not be authorized for the month. Services prompted by an illness or accident beginning before the client is medically eligible, and continuing beyond the date of eligibility, are payable on a prorated basis from the date of medical eligibility forward.

- d) When Interim Assistance is authorized the application process shall continue until the local office receives notification from SSA that the applicant is either categorically related or not categorically related. At that point, a final disposition of the application is made and certification is authorized or the application is denied.

- e) Continuation of assistance during SSA appeal.

- 1) The Department shall accept the SSA determination of categorical relatedness under the application for SSI.
- 2) If the individual appeals the SSA determination of categorical relatedness to SSA, Interim Assistance shall be continued through the level of a determination by an Administrative Law Judge (ALJ) subject to the time limits of subsection (e)(3) below. If assistance has been

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 113.302 Interim Assistance (Cont'd)

cancelled but the client later appeals to SSA, the case shall be reinstated through the AJJ level subject to the time limits of subsection (e)(3) below.

- 3) If the client notifies the Department of his appeal to SSA within 10 days of the date of the Department notice, assistance will be continued with no break. If the client notifies the Department of his appeal to SSA within 11 through 65 days of the date of the Department notice, assistance will be reinstated back to the original date of cancellation. If the client notifies the Department of his appeal to SSA more than 65 days after the date of the Department notice, assistance will be provided prospectively only, unless the client actually appealed to SSA within 65 days of the date of the Department notice, in which case assistance will be reinstated back to the original date of cancellation.

- 4) If Interim Assistance is not begun before the SSA determination, but the client appeals the determination to SSA, Interim Assistance shall be authorized through the level of a determination of an Administrative Law Judge.

- 5) If an Administrative Law Judge finds the individual to be not categorically related, the Department shall accept that finding as final. The individual shall not have the right to appeal the determination of categorical relatedness to the Department at any time during this process.

- f) SSI applicants who have been placed in approved community, long-term settings from DMHDD operated facilities are also eligible to be placed on Interim Assistance if need exists.

(Source: Amended at 13 Ill. Reg. 12553, effective July 12, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: MEDICAL PAYMENT

- 2) Code Citation: 89 Ill. Adm. Code 140

- 3) Section Number: Adopted Action:

140.440 Amendment

- 4) Statutory Authority: Section 5-5 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Par. 5-5).

- 5) Effective Date of Amendment: July 17, 1989

- 6) Does this rulemaking contain an automatic repeal date?

Yes ☐ No ☒

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: July 17, 1989

- 9) Notice of Proposal Published in Illinois Register: December 30, 1988 (12 Ill. Reg. 22329)

- 10) Has JCAR issued a Statement of Objections to this rule? No

- 11) Differences between proposal and final version: Pursuant to discussions with the Joint Committee regarding the above-referenced rulemaking, the Department of Public of Public Aid has agreed:

1. To insert a cross-reference in Section 140.440(b)(1) to state in part: "[t]he pharmacy must hold a current Drug Enforcement Administration (DEA) registration issued by the United States Drug Enforcement Administration (see 21 CFR 1301 et seq.)."
2. To insert a cross reference in Section 140.440(b)(1) to state in part: "as well as a current controlled substances license issued by the Department of Professional Regulation (see Controlled Substances Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 1301 et seq.) prior to enrolling with the Department."
3. To drop the "s" from "Regulations" to read "Illinois Department of Professional Regulation" in Section 140.440(b)(1).

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

4. To place state "Licensed Pharmacy Requirements" as a heading for Section 140.440(b)(2) and also agreed to change old subsection (2) to (3).

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this Amendment replace an Emergency Amendment currently in effect? No

- 14) Are there any Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.16	Amendment	March 10, 1989 (13 Ill. Reg. 2937)
140.17	Amendment	March 10, 1989 (13 Ill. Reg. 2937)
140.21	Amendment	March 17, 1989 (13 Ill. Reg. 3295)
140.400	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.435	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.436	Amendment	December 16, 1988 (12 Ill. Reg. 20714)
140.490	Amendment	July 14, 1989 (13 Ill. Reg. 11157)
140.491	Amendment	July 14, 1989 (13 Ill. Reg. 11157)
140.492	Amendment	July 14, 1989 (13 Ill. Reg. 11157)
140.497	New Section	May 19, 1989 (13 Ill. Reg. 7546)

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Section Numbers	Proposed Action	Illinois Register Citation
140.569	Amendment	April 21, 1989 (13 Ill. Reg. 5465)
140.642	Amendment	November 28, 1988 (12 Ill. Reg. 19613)

- 15) Summary and Purpose of Amendment: This rulemaking requires pharmacies to have a current Drug Enforcement Administration (DEA) registration as well as a current controlled substances license as a condition of participation.

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Fl.
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

- Section
140.1 Incorporation By Reference
140.2 Medical Assistance Programs
140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.4 Covered Medical Services Under GA and AMI
- 140.5 Medical Services Not Covered
- 140.6 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Infants Under Age One Year
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

- Section
140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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- Section
140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20 Submittal of Claims
140.22 Magnetic Tape Billings
140.23 Payment of Claims
140.24 Payment Procedures
140.25 Overpayment or Underpayment of Claims
140.26 Payment to Factors Prohibited
140.27 Assignment of Vendor Payments
140.28 Record Requirements for Medical Providers
140.30 Audits
140.35 False Reporting and Other Fraudulent Activities
140.40 Prior Approval for Medical Services or Items
140.41 Prior Approval in Cases of Emergency
140.42 Limitation on Prior Approval
140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
140.71 Drug Manual (Recodified)
140.72 Drug Manual (Recodified)
140.73 Drug Manual Updates (Recodified)

SUBPART C: HOSPITAL SERVICES

- Section
140.94 Hospital Services (Recodified)
140.95 Participation (Recodified)
140.96 General Requirements (Recodified)
140.97 Special Requirements (Recodified)
140.98 Covered Hospital Services (Recodified)
140.99 Hospital Services Not Covered (Recodified)
140.100 Limitation On Hospital Services (Recodified)
140.101 Transplants (Recodified)
140.102 Heart Transplants (Recodified)
140.103 Liver Transplants (Recodified)
140.104 Bone Marrow Transplants (Recodified)
140.110 Disproportionate Share Hospital Adjustments (Recodified)
140.116 Payment for Inpatient Services for GA (Recodified)
140.117 Hospital Outpatient and Clinic Services (Recodified)
140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)

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Section	
140.203	Limits on Length of Stay by Diagnosis (Recodified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
140.350	Copayments (Recodified)
140.360	Payment Methodology (Recodified)
140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)
140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)
140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.398	Hearings (Recodified)
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Section	
140.400	Payment to Practitioners and Laboratories
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory

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Section	
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140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry
140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services
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140.433	Payment for Laboratory Services
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140.441	Pharmacy Services Not Covered
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140.443	Filling of Prescriptions
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140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.460	Clinic Services
140.461	Clinic Participation Requirements
140.462	Covered Services in Clinics
140.463	Encounter Rate Clinics
140.464	Psychiatric Clinics (Hospital-based)
140.465	Speech and Hearing Clinics
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
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140.471	Home Health Covered Services
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140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
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140.483	Limitations on Family Planning Services
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140.487	Payment on Medicheck Services
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140.503	Cessation of Payment for Improper Level of Care
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140.525	Eligibility For Quality Incentive Program (QUIP)
140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP)
140.527	Quality Incentive Survey
140.528	Payment of Quality Incentive
140.529	Reviews
140.530	Basis of Payment for Group Care Services
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TABLE J	HSA Grouping

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141

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at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987;

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amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896

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NOTICE OF ADOPTED AMENDMENT

recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 11516, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 140.440 Pharmacy Services

- a) Payment shall be made only to pharmacies.
- b) The following conditions apply to pharmacy participation:

- 1) The pharmacy must hold a current Drug Enforcement Administration (DEA) registration issued by the United States Drug Enforcement Administration (see 21 CFR 1301 et seq.), as well as a current controlled substances license issued by the Illinois Department of Professional Regulation (see Controlled Substances Act, Ill. Rev. Stat. 1987, ch. 56 1/2, par. 1301 et seq.) prior to enrolling with the Department.

†2) Licensed Pharmacy Requirements

- A) A licensed pharmacy located in and/or administratively associated with a group practice or long-term facility must:
 - i) provide the same scope of general pharmacy and professional services as a pharmacy not so affiliated; and
 - ii) be retail in nature, open and accessible to the general public.
- B) The pharmacy shall not limit prescriptions filled to those written by practitioners

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NOTICE OF ADOPTED AMENDMENT

Section 140.440

Pharmacy Services (Cont'd)

connected with the group or facility for persons receiving care or services from the group or facility.

- 23) A hospital pharmacy which provides pharmaceutical services and supplies for inpatients, outpatient clinic patients and emergency room patients of the hospital may not enroll as a participating pharmacy. A second licensed pharmacy, established by a hospital separate and apart from the hospital pharmacy to serve the community as a retail pharmacy may participate as a retail pharmacy.

- c) The Department shall pay for the dispensing of pharmacy items, which are listed in the Department Drug Manual (Section 140.72) and which are prescribed by a physician, dentist or podiatrist within the scope of their professional practice. Copies of the Department's Drug Manual are available from the Department's Bureau of Provider-Services, 931-Base Washington, Medical Practitioners, 201 South Grand Avenue East, Springfield, Illinois. Requests for copies should be sent in writing to that address.

(Source: Amended at 13 Ill. Reg. 12562, effective July 17, 1989)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part:

Drinking Water Systems Code

- 2) Code Citation:

77 Ill. Adm. Code 900

- 3) Section Numbers:

900.10
900.15
900.20
900.30
900.40
900.50
900.60
900.65
900.70
900.80
900.90
900.100
Table C

Adopted Action:

Amendment
New Section
Amendment
Amendment
Amendment
Amendment
New Section
Amendment
Amendment
Amendment
Amendment
New Section

- 4) Statutory Authority:

Groundwater Protection Act, Ill. Rev. Stat. 1987, ch 111 1/2, par. 7459 et seq., and "AN ACT in relation to public health", Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 22 and 24.

- 5) Effective Date of Rules:

August 1, 1989

- 6) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

If "yes," please specify date:

- 7) Does this Rulemaking Contain Any Incorporations by Reference? Yes X No

If "yes," please specify type: 6.02(a) X or 6.02(b)

If "6.02(b)," was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes No

- 8) Date Filed in Agency's Principal Office:

August 1, 1989

NOTICE OF ADOPTED AMENDMENTS

12579

89

9) Date Notice(s) of Proposal was Published in Illinois Register:

12 Ill. Reg. 17206 - October 28, 1988

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? Yes No X

If "yes," please complete the following:

- A) Statement of Objection: , Ill. Reg.
- B) Agency Response: , Ill. Reg.
- C) Date Agency Response Submitted for Approval to the Joint Committee:

11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

2(a) In Section 900.15(a)(2) the Department has agreed to delete both lines of this subsection. In Section 900.15(a)(3), after "40 CFR 141 and 142," (1988)" will be added.

3. In the last sentence of Section 900.20(d) after the word "Constructed" the words "attend or extended" will be added, and also in this subsection the word "deepened" will be deleted.

5. In Section 900.40(a)(3) the Department will delete all of the wording between the words "required" and "the owner" exclusively. In their place the following words will be added, "In this part provided".

In the last two lines of this subsection, the words, "must comply with" will be replaced by the words, "complies with the variance provisions of."

14(b) In Section 900.40(n)(5)(f), in the next to the last sentence, the following words will be deleted, "only by a person trained in servicing gas chlorinators," and the following words will be added, "and operated only in accordance with the manufacturer's directions."

At the end of the last sentence, the following words will be added, "within view of operating personnel."

DRAFTING AND EDITING

1. The colons will be replaced with the semicolons as indicated.

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2. The colons will be replaced with semicolons as indicated, and the period will be added after "16.301."

A separate paragraph will be created beginning with the words "OR STORES", on line 7 of the definition of potential secondary source.

3. This definition will be moved as indicated.

4. In Section 900.15(a)(6), "900" will be changed to "930"

5. See comment to #3 in the previous set of questions above.

6. No fee is required in this part.

7. In Section 900.30(a) line three, a space will be inserted between the words "water" and "system".

8. In Section 900.40(e), "906" will be changed to "930".

9. In Section 900.40(i)(2), the items "p1" and "p2" will be lined out.

10. In Section 900.40(i)(3) the letter m will not be subscripted.

11. In Section 900.40(i)(3), the letter j will be shown as lined out instead of the letter i.

12. In 900.40(k)(5) the Department will show "non/- community" as "non / - community".

13. The Department agreed not to make any changes.

14. In Section 900.60(b)(2), "906" will be changed to "930".

15. In Section 900.65(a), the phrase "shall not exceed" shall read "shall not be exceeded".

16. The Department agreed no change was needed.

17. In Section 900.65(b) the word "non-transient" shall be changed to "non-transient".

A hyphen will be added between "non" and "community" in line 1.

The reference to Section 900.61(a) was incorrect and has been changed based upon previous comment from USEPA. This change was made during second notice period.

The word "reform" in line 5 will be changed to "perform".

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18. In Section 900.65(c) the Department will change the following:

- (a) line 1, "chemicals" to "contaminant levels".
- (b) This has been done during second notice.
- (c) line 3, "section" to "Section".

19. In Section 900.90(b)(1) an end parenthesis will be added as requested.

20. In Section 900.100(a)(1)(B) the words "40 CFR 141.4" will be deleted and the word "and" in the same line will be deleted.

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

Section 900.65 (b)

In the first sentence the Section number "900.61 (a)" was changed to "900.65 (a)". Also in this subsection, after "July 8, 1987" the following was added "and Fed. Reg. 25108 through 25111, July 1, 1988."

Section 900.80 (a)

At the end of this subsection, in the last sentence the following words were added, "The notification shall conform to the requirements of 40 CFR 141, 142 and 143, 52 Fed. Reg. 41534 through 41550, October 28, 1987."

Section 900.100 (a)(1)(B)

After "July 8, 1987," the following words were added, "and 53 Fed. Reg. 25108 through 25111, July 1, 1988."

Section 900.100 (b)(3)

At the end of this subsection, the following words were added "and the Federal Safe Drinking Water Act."

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

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13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes ___ No X

14) Are there any other Amendments Pending on this Part? Yes ___ No X

If Yes:

Section Numbers

Proposed Action

Ill. Reg. Citation

15) Summary and Purpose of Rules:

The existing rules establish requirements for the construction and operation of non-community public water supplies.

In Section 900.10, definitions have been added to define sources of contamination as specified in the Act.

In Section 900.15, this new section lists all of the rules, standards, statutes which are referenced in these rules.

In Section 900.20, clarification. This rule requires that a permit be obtained when a water supply is drilled to a greater depth.

In Section 900.30, this rule adopts the latest federal drinking water regulations.

In Section 900.40, this Section adopts requirements for the treatment of water obtained from a surface source. This was done to comply with the request made by the Joint Committee staff. This rule also establishes distances to sources of contamination as required by the Act.

In Section 900.50, This will clarify that the letter N in this Section means nitrogen.

In Section 900.60, this change adopts requirements for the treatment of water obtained from a surface source. This was done to comply with the request made by the Joint Committee staff.

In Section 900.65, this new section adopts maximum levels for 8 contaminants in drinking water as required by recent U.S. E.P.A. rules.

In Section 900.70, this Section stipulates the coliform monitoring frequency.

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In Section 900.80, this requires the water supply to comply with all contaminant levels in these rules.

In Section 900.90, this word "Part" has been capitalized.

In Section 900.100, this rule adopts the latest drinking water rules established by U.S. E.P.A.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER r: WATER AND SEWAGE

PART 900
DRINKING WATER SYSTEMS CODE

SECTION
900.10
900.15
900.20
900.30
900.40
900.50
900.60
900.65
900.70
900.80
900.90
900.100
TABLE A
TABLE B
TABLE C

Definitions
Incorporated Materials
General Requirements
Special Requirements
Water System Design
Inorganic Chemicals
Turbidity
Organic Chemicals
Microbiological
Public Notification
Record Maintenance and Reporting
Variances and Exemptions
Sources of Pollution in Location to Wells and/or Finished Water
Storage Facilities
Design Capacity for a Non/Community Public Water System
Pressure Factors

AUTHORITY:

Implementing and authorized by Section 9 of the Illinois Groundwater Protection Act, (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7459) and Sections 2 and 7 of "AN ACT in relation to Public Health." (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 22 and 24).

SOURCE:

Adopted at 6 Ill. Reg. 2215, effective February 3, 1982; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 3301, effective March 2, 1984; amended at 9 Ill. Reg. 9139, effective June 3, 1985; amended at 13 Ill. Reg. 12578, effective August 1, 1989.

NOTE:

Capitalization denotes statutory language.

Section 900.10 Definitions

"Applicant" means any person making application for a permit to construct or alter a public water system.

"Cistern" means a source of water supply developed by intercepting rainfall with roof surfaces.

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

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"Department" means the Illinois Department of Public Health.

"Maximum Contaminant Level" means the maximum permissible level of contaminant in water which is delivered to the free flowing outlet of the ultimate user of a public water system, except in the case of turbidity, where the maximum permissible level is measured at the point of entry to the distribution system. Contaminants added to the water under circumstances controlled by the user are excluded from this definition.

"Non-Transient Non-Community System" means a non-community water system which regularly serves the same 25 or more persons at least 6 months a year.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois or any political subdivision or department thereof, or any other entity.

"POTENTIAL PRIMARY SOURCE" MEANS ANY UNIT AT A FACILITY OR SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION WHICH:

IS UTILIZED FOR THE TREATMENT, STORAGE, OR DISPOSAL OF ANY HAZARDOUS OR SPECIAL WASTE NOT GENERATED AT THE SITE; OR

IS UTILIZED FOR THE DISPOSAL OF MUNICIPAL WASTE NOT GENERATED AT THE SITE, OTHER THAN LANDSCAPE WASTE AND CONSTRUCTION AND DEMOLITION DEBRIS; OR

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, SURFACE IMPOUNDING OR PILING OF ANY HAZARDOUS OR SPECIAL WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES.

(Section 3.59 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1003.59)

"POTENTIAL ROUTE" MEANS ABANDONED AND IMPROPERLY PLUGGED WELLS OF ALL KINDS, DRAINAGE WELLS, ALL INJECTION WELLS, INCLUDING CLOSED LOOP HEAT PUMP WELLS, AND ANY EXCAVATION FOR THE DISCOVERY, DEVELOPMENT OR PRODUCTION OF STONE, SAND OR GRAVEL. (Section 3.59 of the Environmental Protection Act, Ill. Rev. Stat., ch. 111 1/2, par. 1003.58).

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"POTENTIAL SECONDARY SOURCE" MEANS ANY UNIT AT A FACILITY OR A SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION, OTHER THAN A POTENTIAL PRIMARY SOURCE, WHICH:

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, OR SURFACE IMPOUNDING OF WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON, OTHER THAN LIVESTOCK AND LANDSCAPE WASTE, AND CONSTRUCTION AND DEMOLITION DEBRIS;

OR STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 BUT NOT MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 2,500 BUT NOT MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 GALLONS ABOVE GROUND, OR MORE THAN 500 GALLONS BELOW GROUND, OF PETROLEUM, INCLUDING CRUDE OIL OR ANY FRACTION THEREOF WHICH IS NOT OTHERWISE SPECIFICALLY LISTED OR DESIGNATED AS A HAZARDOUS SUBSTANCE; OR

STORES OR ACCUMULATES PESTICIDES, FERTILIZERS, OR ROAD OILS FOR PURPOSES OF COMMERCIAL APPLICATION OR FOR DISTRIBUTION TO RETAIL SALES OUTLETS; OR STORES OR ACCUMULATES AT ANY TIME MORE THAN 50,000 POUNDS OF ANY DE-ICING AGENT; OR

IS UTILIZED FOR HANDLING LIVESTOCK WASTE OR FOR TREATING DOMESTIC WASTEWATERS OTHER THAN PRIVATE SEWAGE DISPOSAL SYSTEMS AS DEFINED IN THE "PRIVATE SEWAGE DISPOSAL LICENSING ACT" (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 116.301).

(Section 3.60 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1003.60)

"Public Water System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. The term Public Water System includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

Community Water System means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days a year.

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Non-Community Water System means a public water system that is not a community water system, that has at least 15 service connections used by non-residents, or regularly serves 25 or more non-resident individuals daily for at least 60 days a year.

"Sanitary Survey" means an on-site inspection of the water source, facilities, equipment, operation, and maintenance of a public water system for the purpose of evaluating their adequacy for producing and distributing safe drinking water.

"State" means the State of Illinois, Illinois Department of Public Health or the Illinois Environmental Protection Agency, as appropriate.

"Supplier of Water" means any person who owns or operates a public water system.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.15

Incorporated Materials

a) The following federal and state regulations, standards, and statutes are incorporated or referenced in various sections of this Part:

- 1) Certification and Operation of Environmental Laboratories (35 Ill. Adm. Code 133.105) Illinois Department of Public Health.
- 2) Federal National Primary Drinking Water Regulations (40 CFR 141 and 142, (1988)) 52 Fed. Reg. 25690 through 25717, July 8, 1987 and 53 Fed. Reg. 25108 through 25111, July 1, 1988.
- 3) Illinois Water Well Construction Code (77 Ill. Adm. Code 920) Illinois Department of Public Health.
- 4) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925) Illinois Department of Public Health.
- 5) Surface Source Water Treatment Code (77 Ill. Adm. Code 930) Illinois Department of Public Health.
- 6) Recommended Standards for Water Works - Great Lakes Upper Mississippi River Board of State Sanitary Engineers - Ten States' Standards - (1982 Edition) and published by: Health Education Service P.O. Box 7283 Albany, New York 12224
- 7) Illinois Plumbing Code (77 Ill. Adm. Code 990) Illinois Department of Public Health.

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8) Public Water Supplies (35 Ill. Adm. Code 607.104) Illinois Pollution Control Board.

9) Standard Methods for the Examination of Water and Wastewater (1985 Edition) and published by: American Public Health Association 1015 18th Street, N.W. Washington, D.C. 20036

b) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

c) All materials incorporated by reference are available for inspection and copying at the Department's Central Office, Division of Environmental Health, 525 West Jefferson - Third Floor, Springfield, Illinois 62761.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.20

General Requirements

- a) Coverage. This Part shall apply to all non-community public water systems.
- b) Exception. This Part shall not apply to a public water system which meets all of the following conditions:
 - 1) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities).
 - 2) Obtains all of its water from, but is not owned or operated by a public water system to which such regulations apply.
 - 3) Does not sell water to any person.
 - 4) Is not a carrier which conveys passengers in interstate commerce.
- c) Consecutive Systems. When a public water system supplies water to one or more other public water systems, the Department shall modify the monitoring requirements if one sampling point can be shown to be representative of the water supply and the supply can be shown to have a contamination free sampling history to the extent that the interconnection of the systems justifies treating them as a single system for monitoring purposes. Any modification in monitoring shall be approved in writing by the Department.
- d) Permit to Construct. A permit to construct a non-community public water system must be obtained from the Department prior to

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construction. Where a water well is to be constructed, altered or extended, a permit fee, which is established in Section 920.130 of the Illinois Water Well Construction Code, shall be required for the water well.

- e) Permit to Alter or Extend. A permit for any major alteration of, or extension to, a non-community public water system must be obtained from the Department prior to construction.
- f) Plans. All applications for a permit to construct, alter or extend a non-community public water system must be accompanied by plans and specifications. The plans and specifications must indicate all sources of contamination, the layout and design of the system and all associated equipment which will indicate compliance with this Part as stated in Section 900.40.
- g) Major Alterations or Extensions. Major alterations or extensions shall include, but not be limited to, the following:
 - 1) Change in source of water supply.
 - 2) Construction of additional sources of water supply.
 - 3) Provision of any new treatment to the system.
 - 4) Changes in system capacity.
 - 5) Increase in the water well depth.

- h) Notification of Completion. Upon completion of any construction for which a permit has been issued, the owner shall notify the Department.

- i) System Disinfection. All components of new non-community public water system construction, alteration, or expansion shall be disinfected with a strong chlorine solution; and satisfactory bacteriological sample results, in compliance with Section 900.70 (a), shall be obtained prior to placing the components into service.

- j) Certified Laboratory. All samples requiring laboratory analysis shall be analyzed only by a laboratory which has been certified for the analysis in question, except that turbidity analyses may be conducted by anyone approved by the Department. The certification shall be made by the Department in accordance with Certification and Operation of Environmental Laboratories (35 Ill. Adm. Code 183.105). The results from any analysis not conducted in accordance with the above shall not be considered valid for purposes of this Part.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

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Section 900.30 Special Requirements

- a) More Stringent Conditions. The Department will require more stringent conditions be placed on the non-community public water system if a potential health problem is detected on the basis of a sanitary survey, laboratory analyses, location of known sources of pollution, condition of the water supply, type of construction or information from previous owners which might indicate the water would be too hazardous to drink. Such conditions include, but are not limited to, sampling for additional contaminants, more frequent sampling for contaminants, or imposing of maximum contaminant levels specified in this Part or Federal National Interim Primary Drinking Water Regulations (40 CFR 141, August 27, 1980 1987) or the National Primary Drinking Water Regulations (40 CFR 141 and 142, 52 Fed. Reg. 25690 through 25717, July 8, 1987 and 53 Fed. Reg. 25108 through 25111, July 1, 1988). The Department shall also require treatment or the discontinuance of the use of the non-community public water system, if the system is found to jeopardize public health or if the system is found to contain hazardous substances or disease causing organisms.

- b) Use of Chemical Additives. Chemicals approved for the treatment of water shall include, but are not limited to, chlorine and chemicals used for water softening, flocculation and coagulation. Such chemicals shall be approved if the method of feed and the concentration of these chemicals does not jeopardize the health of the user as determined by the Department pursuant to the level of toxicity of the chemical.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.40 Water System Design

- a) Siting Requirements. Construction, alteration or expansion of a public water system shall be accomplished so as to:

- 1) Avoid locating any or all of the facility at a site which is subject to undue risk from earthquakes, floods, or other disasters.
- 2) Except for the intake structures, avoid locating any or all of the facility within the floodplain of a 100-year flood.
- 3) Sources of pollution shall be located no closer to wells and finished water storage facilities than indicated in Table A. Beginning January 1, 1988, no new non-community water system well may be located within 200 feet of any potential primary or potential secondary source or any potential route, unless

specifically allowed in Table A. Where the owner of a potable well is the same owner of a potential primary source, potential secondary source, or a potential route, the Department may allow a variance to the minimum separation distances required in this Part provided the owner complies with the variance provisions of Section 920.30(c) of the Illinois Water Well Construction Code.

- b) Existing Water System. The sanitary quality of an existing water system shall be determined by a survey of facilities and laboratory analyses of water samples. Defects in facilities or contamination shown present by laboratory analyses, shall be considered sufficient grounds for requiring repairs, chlorination or other treatment, or termination of the use of the system. All repairs, modifications, and alterations to existing wells and pump equipment shall be in accordance with the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) and the Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925). Treatment will not be considered as a substitute for location and construction in accordance with the Illinois Water Well Construction Code.
- c) New Well Construction. All new wells shall be constructed in accordance with the Illinois Water Well Construction Code.
- d) New Pumping Equipment. All new well pumps shall be installed in conformance with the Illinois Water Well Pump Installation Code.
- e) Surface Water. Gravity filtration and disinfection shall be provided as the minimum treatment facilities for all supplies obtained from ponds, lakes, streams, rivers, and other surface collectors of water. Surface water supply treatment facilities shall be designed, constructed, operated, and maintained as described in the Department's Circular-4-065, "Pond-Water-Treatment," (1980 Edition) Surface Source Water Treatment Code, (77 Ill. Adm. Code 930) or in accordance with "Recommended Standards for Water Works - Great Lakes Upper Mississippi River Board of State Sanitary Engineers" ("Ten States' Standards") (1982 Edition---Health Education-Service, P.O.-Box-7283, Albany, New-York, 12224). Where average turbidity, based upon 30 daily samples, of the source exceeds 50 nephelometric turbidity units, complete treatment must be provided in accordance with "Ten States' Standards."
- f) Springs. Spring water supplies shall not be allowed except where it is impossible to develop a well which meets the water quality and capacity standards of this Part. Where springs are used for potable water, they shall be protected from entry of surface water, shall be housed in a permanent structure, and shall be chlorinated in accordance with Section 900.40 (e) (n). Spring water supplies located in an area with sink-holes or outcropping rock, with a

history of periodic discolored discharge, or subject to fecal contamination, as demonstrated by laboratory analysis, shall not be approved unless provided with treatment consistent with that required for surface water.

- g) Cisterns. Cisterns shall not be used for public water supply except where groundwater resources will not produce the quantity of water needed for the population to be served. Cistern water shall receive treatment consistent with that required for surface water (See Section 900.40 (e) (e)).
- h) Design Capacity. The design capacity for a non-community public water system shall be determined based on the estimated maximum peak demand or population-to-be-served, and the average daily consumption rate obtained from Table B.
- i) Hydropneumatic Storage. The minimum requirements for designing a hydropneumatic storage system are as follows:
 - 1) Well and Pump Sizing. The capacity of the well(s) and pump(s) in a hydropneumatic system shall be at least eight times the average daily consumption rate or shall be sufficient to meet the estimated peak demand, whichever is greater. (calculate the average daily consumption rate from Table B). If it can be shown that a specified amount of water is more appropriate or if the Department can be shown that the storage requirements are excessive, the Department will permit other sizing alternatives dependent upon such things as, but not limited to, water demand at the facility in question or water usage reports from a similar facility.

- 2) Pressure Tank Sizing. The minimum capacity of the pressure storage tank shall be calculated by the following formula:

$$Q = \frac{Q_m}{1 - (p-1/p-2)} \quad (3)/Pf$$

Where Q_m = 90-times-average-daily-consumption/1440 min-per-day, (gpm) Q_m = Pump capacity (g.p.m.)

$p-1$ = Minimum-gage-pressure-+14.7; (psia)

$p-2$ = Maximum-gage-pressure-+14.7; (psia)

Pf = Pressure Factors obtained from TABLE C.

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- 3) Precharged Pressure Tanks. Precharged pressure tanks, when equipped with a diaphragm, may be installed with a proportionally smaller gross capacity than conventional pressure tanks when approved by the Department. The capacity of a precharge pressure storage tank shall be calculated by the following formula:

$$Q_p = \frac{14.7 - x - Q}{P - 3} \quad Q_p = 1.5Qm/Pf$$

Where Q_p = Precharged pressure tank volume, gal.

Q = Conventional pressure tank volume, gal.
calculated by formula in Section 900.40-(j)(2)

$P - 3$ = Amount of precharged pressure applied to tank (psi) + 14.7 (psia)

psia = pounds per square inch absolute

- 4) Existing Hydropneumatic Storage. An existing undersized pressure storage system may be allowed provided a history of adequate water supply exists. Major alterations shall comply with all requirements of subsection 900.40(j) Section 900.40(i).
- j) Storage Reservoir. All nonpressure underground reservoirs shall be constructed of permanently watertight material and shall be provided with a watertight insect proof cover. Examples of permanently watertight materials are steel, plastic, concrete or fiberglass. On new water system installations, all nonpressure storage reservoirs in or on the ground shall be located in such a manner that surface water will flow away from the structure. When the bottom of any such reservoir is located below the ground surface, the reservoir shall be located with respect to sources of pollution as outlined in Table A. Where manholes are necessary, they shall have a raised curb and be provided with a cover of the overhanging type. Vents and openings shall be insect-proof and shall be installed so there is no hazard to the sanitary quality of the water supply. Piping shall enter the reservoir through the top of underground tanks or through the exposed vertical extension of the manhole opening. Points of entry must be sealed in a watertight manner. No suction lines may enter the reservoir underground unless protected by an external pipe enclosure maintained at system pressure.
- k) Water Distribution Lines. The system shall be designed to maintain a minimum positive pressure of 20 p.s.i. in all parts of the system at all times. Water pipe shall conform to applicable specifications and

standards of the Illinois State Plumbing Code (77 Ill. Adm. Code 890) for the type of pipe to be used. The following shall govern the separation of water lines from possible sources of pollution:

- 1) Whenever possible, a water line shall be laid at least 10 feet horizontally from any existing or proposed sewer line.
- 2) Whenever water lines must cross sewers, the water line shall be laid at such an elevation that the bottom of the water line is 18 inches above the top of the sewer. This vertical separation shall be maintained for that portion of the water line located within 10 feet horizontally of any sewer or drain it crosses, said 10 feet to be measured as the normal distance from the water line to the drain or sewer. The sewer shall be constructed of cast iron pipe, type K copper, or Drain, Waste and Vent (DWV) plastic pipe (Schedule 40) with water-tight joints for a distance of 10 feet from each side of the water line. All crossings shall be made at right angles.
- 3) Where conditions prevent the minimum horizontal and/or vertical separation specified above, special consultation shall be obtained from the Department to determine other routes of water piping.
- 4) No water line shall pass through, or come into contact with, any part of a sewer manhole.
- 5) There shall be no physical connection between a community water system and a non-community or private water system, unless the non-community or private water system conforms to community water system requirements, as specified by the Illinois Pollution Control Board's Public Water Supplies (35 Ill. Adm. Code 607.104).
- 6) Lines for potable water shall be laid at least 25 feet horizontally from any underground sewage seepage field.
- 1) Plumbing-Fixture Backflow Protection. The water supply lines shall have no physical connection with nonpotable water supplies. All plumbing shall be in accord with the Illinois State Plumbing Code available from this Department. All plumbing fixtures and other equipment connected to the water system shall be so constructed and installed so as to safeguard the water system from the possibility of contamination through cross-connections or backsiphonage. Laundry units and equipment shall be so constructed and installed so as to prevent the contamination of the contents by the backflow of sewage. When required by the Illinois State Plumbing Code (77 Ill. Adm. Code 890), the fixture or appliance shall be connected indirectly with the

m) drainage system by means of an open, funnel-type fitting with a suitable air gap.

n) Drinking Fountains. All outlets established for the provision of drinking water shall consist of drinking fountains in accordance with requirements contained in the Illinois State Plumbing Code, or a supply of single service drinking cups shall be provided. Common drinking cups are prohibited.

Disinfection. Disinfection may be accomplished with calcium or sodium hypochlorites or gas chlorine. Other disinfecting agents will be considered, providing reliable application equipment is available, and testing procedures for residual are recognized in "Standard Methods for the Examination of Water and Wastewater" (1978-Edition--American Public Health Association, 1015-18th Street, N.W., Washington, D.C. 20036). Proposals for use of disinfecting agents must be approved by the Department prior to preparation of final plans and specifications. Approval will be given only when the information shows that the chemical to be used as a disinfecting agent will not jeopardize the health of the user and that the chemical will eliminate bacteria from the water supply. Disinfection is required at all surface, spring, and cistern water supplies; and at any groundwater supplies which are of questionable sanitary quality or where any treatment which exposes the water to the atmosphere is provided. Disinfection shall not be a substitute for proper well location and construction.

1) Chlorination Equipment. The chlorinator shall be designed to provide a free chlorine residual of at least two milligrams per liter in the water after contact time of at least 30 minutes at maximum flow rates. The equipment shall be of such design that it will operate accurately over the desired feeding range. Where flow is uniform, actuation of a constant volume feeder by the pump circuit is required. Where flow is variable, automatic flow proportioning is required.

2) Contact Time and Point of Application. Chlorine shall be applied at a point which will provide the maximum contact time. At facilities treating surface water, chlorine shall be applied to the raw water prior to after filtration. At facilities chlorinating groundwater, provisions should be made for applying chlorine to the detention basin inlet. Where chlorination is required, minimum free chlorine residual at distant points in a water distribution system shall be at least 0.1 milligram per liter.

3) Testing Equipment. Chlorine residual test equipment capable of measuring free chlorine residual shall be provided and should be

capable of measuring residuals to the nearest 0.1 mg/l in the range below 0.5 mg/l, to the nearest 0.3 mg/l between 0.5 and 1.0 mg/l, and to the nearest 0.5 mg/l between 1.0 mg/l and 2.0 mg/l.

4) Hypochlorinator. Positive displacement pumps shall be provided to inject hypochlorite solution. The pump shall be of variable flow type and shall be of sufficient capacity to feed the required amount of disinfectant. If calcium hypochlorite is used, the concentration of calcium hypochlorite in the solution shall not exceed 5 percent. The solution container shall have a minimum capacity equal to the volume of solution required per day. The hypochlorinator shall be interlocked with the pump so that both will start and stop together.

5) Gas Chlorinators.

A) The chlorine supply and gas feeding equipment shall be in a separate, air-tight room. The room shall be provided with an exhaust system which takes its suction not more than 8 inches from the floor and discharges out-of-doors in a direction to minimize exposure to toxic fumes. The fan shall be capable of producing one air change per minute. Means for introducing a fresh air supply to the enclosure shall be provided through appropriate openings, such as filters, grill openings, etc., at a high point opposite the exhaust fan intake. The room shall have a window at least 18 inches square and artificial illumination so that the chlorinator equipment is visible from the operating area outside the room. Electrical switches for lighting and ventilation shall be outside the room and adjacent to the door. Scales for weighing chlorine cylinders in service shall be provided and should have the platform at floor level.

B) All chlorine cylinders, both full and empty, shall be anchored to prevent their falling over.

C) The chlorine feeding device shall be designed so that during interruptions of the flow of the water supply, gas feed is automatically terminated. Chlorinator vent lines shall terminate out-of-doors.

D) The gas feed equipment shall be solution feed type capable of delivering chlorine at its maximum rate without releasing chlorine gas to the atmosphere.

E) The water supply for the gas feeding equipment shall

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produce the flow rate and pressure required according to the manufacturer's specifications for proper operation of the equipment. The release of chlorine shall be automatically terminated when the pump is shut off. The water supply line to the chlorine injector shall be equipped with an electric shut-off valve interlocked with the pump and shall be equipped with a suitable backflow preventer.

- F) A self-contained breathing apparatus designed for use in a chlorine atmosphere shall be provided. A record shall be kept of the breathing apparatus usage to insure that it will be serviceable when needed and it shall be kept in a closed cabinet, accessible without a key, located outside of the room in which the chlorinator is located, and preferably outside the entrance to the equipment room. Gas chlorinators shall be repaired and operated only in accordance with manufacturer's directions. The owner/operator shall determine the appropriate emergency personnel to contact in the event of a chlorine gas emergency, and have the telephone number of emergency personnel conspicuously posted within view of operating personnel.

- 6) General. The chlorinator water supply piping shall be designed to prevent contamination of the treated water supply by sources of questionable water which may be contaminated. Housing must be provided for the chlorination equipment and for storing the chlorine.

- o) Hauled Water. When it is necessary to use hauled water as a source of public supply, the water shall be obtained only from a regulated public water system.

- 1) Transport Equipment. Equipment used for hauling water, including tank trucks or trailers, hoses, etc., shall be used only for handling potable water. In an emergency, equipment used for handling other potable materials, such as milk, syrup, etc., may be used after cleaning and disinfection with not less than 100 ppm of free chlorine.
- 2) Storage Facilities. Equipment used for the storage of hauled water shall be used only for that purpose and shall be constructed in accordance with Section 900.40(k).

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.50 Inorganic Chemicals

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- a) Maximum Contaminant Levels. The maximum contaminant levels for Nitrate in a non-community public water system shall not exceed 10 mg/l (as nitrogen (N)). Nitrate levels not to exceed 20 mg/l as N may be allowed in a non-community water system if the supplier of water demonstrates that:

- 1) Such water will not be available to children under 6 months of age.
- 2) There will be continuous posting of the fact that nitrate levels exceed 10 mg/l as N and the potential health effects of exposure.
- b) Monitoring. Analysis for nitrate shall be conducted annually on all systems. The Department shall send out sample bottles to all water suppliers and require that the suppliers collect the sample and return it to the designated Department laboratory.

- c) Maximum Contaminant Level Exceeded.

- 1) Nitrate. If the result of an analysis for nitrate in a non-community public water system exceeds the maximum contaminant level, the taking of a second sample shall be initiated within 24 hours, and the average of the two analyses determined.
- 2) Maximum Contaminant Level Violations. If the averaged results for nitrate in a non-community public water system exceed the maximum contaminant level, the supplier of water shall give notice to the public in accordance with Section 900.80 of this Part, and begin monitoring the contaminant in question at a frequency established by the Department and shall continue until the maximum contaminant level has not been exceed in two successive samples or until a monitoring schedule as a condition to a variance, exemption or enforcement action becomes effective. Any frequency established by the Department will depend upon the season, location in relation to agricultural areas and previous fluctuations in nitrate concentrations.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.60 Turbidity

- a) Maximum Contaminant Levels. The maximum contaminant levels for turbidity in non-community water systems which use surface water in whole or in part, measured at a representative entry point to the distribution system, are that one turbidity unit (TU) in any sample, except that 5 TU may be allowed if the supplier of water can demonstrate to the Department that the higher turbidity does not do

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any of the following:

- 1) Interfere with disinfection.
- 2) Prevent maintenance of an effective disinfectant residual throughout the distribution system.
- 3) Interfere with microbiological determinations.

b) Monitoring. Samples shall be taken by the supplier of water for non-community water systems at a representative entry point(s) to the water distribution system at least once per day. Sampling frequency for turbidity may be reduced in a non-community public water system if the following conditions are met:

- 1) The supply has a filtration system designed, constructed, operated and maintained as described in the Department's Circular 4-085, "Pond-Water-Treatment" Surface Source Water Treatment Code (77 Ill. Adm. Code 930).
- 2) Minimum free chlorine residual at distant points in the distribution system is at least 0.1 milligram per liter.
- 3) Written approval from the Department has been issued. Approval will be based upon compliance with the above items.

c) Maximum Contaminant Level Exceeded. If the results of a turbidity analysis indicate that the maximum allowable limit has been exceeded, a second sample shall be analyzed as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum contaminant level has been exceeded, the supplier of the water shall report to the State within 48 hours. The repeat sample shall be used to calculate the monthly average. If the monthly average exceeds the maximum contaminant level, or if the average of two samples taken on consecutive days exceeds 5 Turbidity Unit (TU), the supplier of water shall report to the State and notify the public as directed in Section 900.80.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.65

Organic Chemicals

a) The maximum contaminant levels for the following organic chemicals shall not be exceeded in a non-transient non-community water system:

Chemical

Maximum Contaminant Level

- 1) Benzene 0.005 mg/l

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- | | |
|--------------------------|------------|
| 2) Carbon tetrachloride | 0.005 mg/l |
| 3) 1,2-Dichloroethane | 0.005 mg/l |
| 4) Trichloroethylene | 0.005 mg/l |
| 5) Para-dichlorobenzene | 0.075 mg/l |
| 6) 1,1-Dichloroethylene | 0.007 mg/l |
| 7) 1,1,1-Trichloroethane | 0.20 mg/l |
| 8) Vinyl chloride | 0.002 mg/l |

b) Monitoring. All non-transient, non-community water systems shall sample for the organic chemicals in Section 900.65(a) in accordance with the requirements of 40 CFR 141 & 142, 52 Fed. Reg. 25690 through 25717, July 3, 1987, and 53 Fed. Reg. 25108 through 25111, July 1, 1988, or shall submit a letter to the Department requesting the Department to perform sampling. The Department shall then perform sampling at a frequency not to exceed once every five years.

c) Maximum Contaminant Level Exceeded. When any contaminant levels in Section 900.65(a) are exceeded, the supplier of water shall notify the public served as prescribed under Section 900.80, and in accordance with the requirements of 40 CFR 141, 142 and 143, 52 Fed. Reg. 41534 through 41550, October 28, 1987.

(Source: Added at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.70

Microbiological

a) Maximum Contaminant Level. The maximum contaminant level for coliform bacteria is applicable to non-community water systems.

- 1) Membrane Filter. When utilizing the membrane filter technique, there shall be no more than one coliform per 100 milliliters in any sample.
- 2) Fermentation Tube. When utilizing the fermentation tube technique, and either 10 milliliter or 100 milliliters standard portions, there shall be no coliform bacteria present in any portion in any sample.

b) Monitoring. Water samples shall be taken at points which are representative of the conditions within the distribution system.

- 1) The supplier of water for a non-community water system utilizing a source other than groundwater shall take water samples for coliform analyses at regular time intervals and at least twice per month. If the Department, on the basis of the results of a sanitary survey, determines that some other frequency is required to better monitor the contaminant level of the water source, that shall be the frequency required. A more frequent

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sampling shall be required if a potential source of contamination is found to exist.

- 2) The supplier of water for a non-community water system, utilizing a groundwater source, unless otherwise regulated pursuant to specific statutes shall take water samples for coliform analyses in each calendar quarter during which the system provides water to the public. In addition to the monitoring requirements of this Section, an increased monitoring frequency may be required in accordance with the requirements of Section 900.30. The Department shall reduce this sampling frequency provided the system complies with all the following:

- A) The supply is served by a groundwater source.
- B) A sanitary survey has been completed indicating compliance with this Part.
- C) At least four consecutive quarterly negative coliform samples have been taken over the past year.
- D) In no case shall the sampling frequency be less than annual.
- E) No other source of potential contamination is found to exist.

c) Maximum Contaminant Level Exceeded

- 1) Initial Sample. When the coliform bacteria in a single sample from a non-community water system exceeds the maximum contaminant level, two additional check samples shall be collected, from the same sampling point. If a subsequent sample has already been taken from the same sampling point, it shall be considered a check sample.

- 2) Maximum Contaminant Level Violations. When the presence of coliform bacteria in water taken from a particular sampling point has been confirmed by examination of a check sample, the supplier of water shall:

- A) Initiate an investigation, and collect additional samples from the same point daily, or at intervals established by the Department, until the results obtained from each of two consecutive check samples show less than one coliform bacterium per 100 milliliters, or no positive portions. Sampling intervals, established by the Department, will depend upon the severity of the contamination and any previous history of contamination of the water supply.

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- B) Notify the public served, as prescribed under Section 900.80, unless the Department determines that no health hazard has actually existed based upon investigation or knowledge of the circumstances.
- 3) Sample Location. The location at which the check samples were taken shall not be eliminated from future sampling.

d) Special Purpose or Check Samples

- 1) The results from all coliform bacterial analyses, except those obtained from check samples and special purpose samples, or samples with unreliable examination results, shall be used to determine compliance with the maximum contaminant level for coliform bacteria.
- 2) Check samples shall not be included in calculating the total number of samples taken each month to determine compliance.
- 3) Special purpose samples, such as those taken to determine whether disinfection practices following pipe placement, replacement or repair have been sufficient, shall not be used to determine compliance.
- 4) Samples with unreliable examination results caused by factors beyond control of the water supplier, i.e., excessive transit time between collection and examination of the sample, samples being broken in transit, or interference in test results by other contaminants, shall not be used. In this case, another sample collected immediately upon learning of these results may be used to determine compliance, except that a single sample may not be attributed to more than one monitoring period.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.80 Public Notification

- a) Non-Community Water Systems. If a non-community public water system fails to comply with an applicable maximum contaminant level in this Part, or is granted a variance or exemption from a maximum contaminant level, or fails to comply with a schedule prescribed pursuant to a variance or exemption, the supplier of water shall give notice by conspicuous posting of such failure, or granting of such variance or exemption to the persons served by the system, as long as the failure, or the variance or exemption continues. The posting shall be visible to all users of the water. The notification shall conform to the requirements of 40 CFR 141, 142 and 143, 52 Fed. Reg. 41534 through 41550, October 28, 1987.

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- b) Notice Form. Notices shall be written in a manner reasonably designed to fully inform users of the system as follows:
- 1) The notice shall be conspicuous.
 - 2) It shall not use unduly technical language.
 - 3) It shall not use unduly small print, or other methods which would frustrate the purpose of the notice.
 - 4) It shall disclose all material facts, including the nature of the problem and, when appropriate, a clear statement that a drinking water regulation has been violated and any preventive measures that should be taken by the public.
 - 5) When required by the Department because of the existence of possible language barriers (e.g. Migrant Labor Camps or concentrations of non-English speaking people), bilingual notice shall be given.
 - 6) Notices shall include a balanced explanation of the significance or seriousness to the public health.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.90 Record Maintenance and Reporting

- a) Records. Any owner or operator of a public water system subject to the provisions of this Part shall retain on its premises or at a convenient location near its premises the following records:
- 1) Records of bacteriological analyses made pursuant to these rules shall be kept for not less than 5 years. Records of chemical analyses made pursuant to these rules shall be kept for not less than 10 years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:
 - A) The date, place and time of sampling, and the name of the person who collected the sample;
 - B) Identification of the sample (i.e., raw or distribution system, check, special purpose, etc.);
 - C) Date of analysis;
 - D) Laboratory and person responsible for performing the analysis, and

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- E) The results of the analysis.
- 2) Records of action taken by the system to correct violations of primary drinking water regulations shall be kept for a period not less than 3 years after the last action taken with respect to the particular violation involved.
 - 3) Copies of any written reports, summaries or communications relating to sanitary surveys of the system, shall be kept for a period not less than 10 years after completion of the sanitary survey involved.
 - 4) Records concerning a variance or exemption granted to the system shall be kept for a period ending not less than 5 years following the expiration of such variance or exemption.
- b) Reporting
- 1) The owner or operator of a public water supply system shall submit to the Department copies of any of the above records (See Section 900.90(a)) when a contamination problem exists.
 - 2) Where analyses are run by other than a State or other certified laboratory (such as turbidity analyses conducted by the operator), reports of analyses shall be submitted to the Department.
 - 3) Within 10 days of completion of each public notification, the supplier of water shall submit to the State a representative copy of each type notice distributed, published, posted, or otherwise made available to persons served by the system or to the media, unless the notice has been provided to the supplier by the State.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

Section 900.100 Variances and Exemptions

a) Variances

- 1) One or more variances from an applicable Illinois drinking water regulation respecting a maximum contaminant level, treatment technique, or both, shall be granted to a non-community public water system based on one of the following conditions:
 - A) The available sources of raw water have characteristics that cannot meet the maximum contaminant levels, despite the application of best available technology, taking costs

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into consideration, and that an unreasonable risk to public health will not result.

- B) A public water system demonstrates to the Department's satisfaction that a treatment technique specified by the regulations is not necessary to protect the health of the persons because of the nature of the raw water source of such a system (See 40-CFR-141-4, August-27, 1980 40 CFR 141 and 142, 52 Fed. Reg. 25690 through 25717, July 8, 1987, and 53 Fed. Reg. 25108 through 25111, July 1, 1988). The system would be evaluated based upon the information available, the ability of the proposal to provide water which would not cause disease or endanger public health, and the ability of the supply to provide water in compliance with this Part.

- 2) Procedure for Obtaining a Variance. The procedure for obtaining a variance is as follows:

- A) Application for the variance must be made by the non-community public water system to the Department. The application shall be in the applicant's own words, containing a narrative with justification as to why the variance is needed.
- B) The Department will propose a schedule for compliance including increments for progress for variances issued with regard to maximum contaminant levels.
- C) The Department will then provide notice and opportunity for public hearing.
- D) The non-community public water system must implement any control measures the Department may require upon granting a variance.
- E) Variances issued with regard to maximum contaminant levels will be conditioned on compliance by the non-community public water system with any prescribed schedule.

b) Exemptions

- 1) One or more exemptions from an applicable Illinois drinking water regulation respecting a maximum contaminant level, treatment technique, or both, may be granted to a non-community public water system based on all of the following conditions:
- A) That compelling factors such as economics prevent a

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non-community public water system from meeting either a maximum contaminant level or a treatment technique requirement.

- B) That the non-community public water system was in operation on the effective date of such contaminant level or treatment technique requirement.

- C) That the granting of the exemption will not result in an unreasonable risk to health which would include, but would not be limited to, installation of a water supply near a source of contamination or pollution.

- 2) Procedure for Obtaining an Exemption. The procedure for obtaining an exemption is as follows:

- A) The non-community public water system must make application to the Department for an exemption. The application shall be in the applicant's own words, containing a narrative with justification as to why the variance is needed.
- B) The Department will issue a schedule of compliance including deadlines for increments of progress of each element in the regulations which is not met.
- C) The Department will then provide notice and opportunity for public hearing.
- D) The non-community public water system must implement any control measures specified as a condition to an exemption.
- E) The non-community public water system will meet the compliance schedule to lift the exemption as expeditiously as practicable and absolutely no later than the specified deadlines.

- 3) Time Limit. The Department will limit duration of exemptions, as necessary, to comply with any other State or Federal requirements and the Federal Safe Drinking Water Act.

(Source: Amended at 13 Ill. Reg. 12578, effective August 1, 1989)

TABLE C Pressure Factors

PUMP CUT-IN PRESSURE - PSIG															
	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90
30	22														
35	30	20													
40	37	27	18												
45	42	34	25	17											
50	46	39	31	23	15										
55	50	43	36	29	22	14									
60	54	47	40	33	27	20	13								
65	50	44	38	31	25	19	13								
70	53	47	41	35	30	24	18	12							
75	50	45	39	33	28	22	17	11							
80	53	48	42	37	32	26	21	16	11						
85	50	45	40	35	30	25	20	15	10						
90	53	48	43	38	33	29	24	19	14	10					
95	50	46	41	36	32	27	23	18	14	09					
100	52	48	44	39	35	31	26	22	17	13	09				

- 1) Heading of the Part:

Private Sewage Mound Code

- 2) Code Citation:

77 I11. Adm. Code 906

- ### 3) Section Numbers:

Adopted Action:

906.10	New Section
906.20	New Section
906.25	New Section
906.30	New Section
906.40	New Section
906.50	New Section
906.60	New Section
906.70	New Section
APPENDIX A	
906. ILLUSTRATION A	New Section
906. ILLUSTRATION B	New Section
906. ILLUSTRATION C	New Section
906. ILLUSTRATION D	New Section
906. ILLUSTRATION E	New Section
906. ILLUSTRATION F	New Section
906. ILLUSTRATION G	New Section
906. ILLUSTRATION H	New Section
906. ILLUSTRATION I	New Section
906. EXHIBIT A	New Section
906. EXHIBIT B	New Section
906. EXHIBIT C	New Section
906. EXHIBIT D	New Section
906. EXHIBIT E	New Section
906. EXHIBIT F	New Section
906. EXHIBIT G	New Section
906. EXHIBIT H	New Section
906. EXHIBIT I	New Section

- 4) Statutory Authority:**

III. Rev. Stat. 1987, ch. 111 1/2, par. 116.301 et seq.

- 5) Effective Date of Rules:**

August 1, 1989

- (Source: Added at 13 Ill. Reg. 12578, effective August 1, 1989)

- 6) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

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1986 Annual Book of ASTM Standards:

Prior to American Society for

We will delete Section 906.25(c) as agreed.

In Section 906.20 the following definition will be added:

"Perched water table" means groundwater which is trapped above a normal water table by an impervious formation.

In Section 906.20 the following definitions will be added:

"Flood plain" means the land bordering a stream, built up of sediments from overflow of the stream and subject to inundation when the stream is at floodstage.

"Depression" means an area that is sunk below its surroundings.

"Drainageway" means a natural or artificial channel for the discharge of surface water through a given tract of land or region.

In Section 906.40(b) the following explanation will be added below the table. "Horizontal Grade No. indicates the sieve sizes used to test the material sample. FA numbers indicate the Illinois Department of Transportation fine aggregate sizes. Numbers throughout the table such as 97 + 3 mean that 97% of the sample, plus or minus 3% of the sample passed through the screen."

In Section 906.40(b) we will delete reference to "fine textured soils" and add the word "topsoil."

In Section 906.50(c) we will delete the current wording and add the following:

For homes having up to and including 4 bedrooms or for flows less than 800 gallons per day the mound shall be designed in accordance with 906.60. For homes with 5 or more bedrooms or for flows greater than or equal to 800 gallons the mound shall be designed in accordance with 906.70.

Section 906.50(d)(2) will be changed to read: For permeable soils either a narrow rectangular bed or two or three narrow parallel trenches may be used.

In Section 906.60(b)(5) we will delete the word "sufficient" from the first sentence.

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If "yes," please specify date:

7) Does this Rulemaking Contain Any Incorporations by Reference? Yes X No

If "yes," please specify type: 6.02(a) X or 6.02(b)

If "6.02(b)," was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes NO

8) Date Filed in Agency's Principal Office:

August 1, 1989

9) Date Notice(s) of Proposal was Published in Illinois Register:

12 - Ill. Reg. 19332 - November 18, 1988

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? Yes No X

If "yes," please complete the following:

A) Statement of Objection: , Ill. Reg.

B) Agency Response: , Ill. Reg.

C) Date Agency Response Submitted for Approval to the Joint Committee:

11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

There were no changes during the first notice period.

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

In Section 906.20 Mound will be defined as follows:

"Mound means a soil...fill material as defined in 906.40

In Section 906.30 we will use the following definition:

"Percolation Rate" means the downward movement of water through a saturated soil

In Section 906.25(1) we will add:

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In Section 906.70(b) we will delete reference to "Section 906.40" and add reference to "Section 906.60".

The Department will spell "topsoil" as one word throughout the text.

The Department will delete the quotation mark around "mound" following the definition of "Absorption Areas" in Section 906.20.

The Department will change "are shown" to "is shown" in Section 906.50(d)(2)(A).

The Department will label all supplementary materials (Illustration A through I and Exhibits A through I) as "Appendix A."

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes No X

- 14) Are there any other Amendments Pending on this Part? Yes No X

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
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- 15) Summary and Purpose of Rules:

The new rules established criteria for the design and construction of a new type of sewage disposal system which can be used when other types of private sewage disposal systems are inappropriate.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Rules begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER I: WATER AND SEWAGEPART 906
PRIVATE SEWAGE MOUND CODE

Section 906.10	Applicability
906.20	Definitions
906.25	Incorporated Materials
906.30	Soil and Site Requirements
906.40	Fill Material
906.50	Mound Design
906.60	Distribution System (for sewage flows of less than 800 gallons per day)
906.70	Distribution System (for sewage flows in excess of 800 gallons per day)

Appendix A Illustrations and Exhibits

ILLUSTRATION A	Plan View of a Mound Utilizing Two Trenches as the Absorption Area
ILLUSTRATION B	Cross-Section of a Mound Using Trenches for the Absorption Area
ILLUSTRATION C	Plan View of a Mound Utilizing a Bed as the Absorption Area
ILLUSTRATION D	Cross-Section of a Mound Using a Bed for the Absorption Area
ILLUSTRATION E	Mound Distribution System
ILLUSTRATION F	Typical Pumping Center
ILLUSTRATION G	Tee-To-Tee Lateral/Manifold Construction
ILLUSTRATION H	Dosing Frequencies for Various Soil Textures
ILLUSTRATION I	Maximum Manifold Length (ft) for Various Manifold Diameters Given the Lateral Discharge Rate and Lateral Spacing
EXHIBIT A	Soil and Site Factors that Restrict Mound Systems
EXHIBIT B	Fine Aggregate Gradations
EXHIBIT C	Downslope and Upslope Width Corrections for Mounds on Sloping Sites
EXHIBIT D	Allowable Lateral Lengths (Feet) for Three Pipe Diameters, Three Perforation Sizes, and Two Perforation Spacings (Use design method in Section 906.60 if system is to treat flow from more than 4 bedrooms)
EXHIBIT E	Dosing Quantity for Various Sized Homes
EXHIBIT F	Void Volume for Various Diameter Pipes
EXHIBIT G	Pumping Chamber Sizes for Various Sized Homes
EXHIBIT H	Perforation Discharge Rates in Gallons per Minute Versus Perforation Diameter and In-Line Pressure
EXHIBIT I	Friction Loss in Schedule 40 Plastic Pipe

AUTHORITY: Implementing and authorized by the Private Sewage Disposal

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Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 116.301 et seq.)

SOURCE: Adopted at 13 Ill. Reg. 12608, effective August 1, 1989.

Section 906.10 Applicability

- a) This Part is promulgated by the Illinois Department of Public Health in order to establish requirements for the design and construction of mounds in Illinois which are to be used as private sewage disposal systems. All such mounds must be constructed in accordance with the requirements of this Part.
- b) Plan approval must be obtained from the Department or local authority prior to beginning any construction of a mound system in accordance with Section 905.190 of the Private Sewage Disposal Code (77 Ill. Adm. Code 905). All individuals who construct such systems must be licensed as a Private Sewage Disposal System Installation Contractor.

Section 906.20 Definitions

- "Absorption Area" means the area of coarse aggregate in the absorption bed or trenches in a mound.
- "Basal Area" means the area of natural soil under a mound which is effective in absorbing effluent.
- "Depression" means an area that is sunk below its surroundings.
- "Dosing" means the application of sewage under pressure to a sewage disposal system at constant intervals or in constant amounts per application.
- "Drainage" means a natural or artificial channel for the discharge of surface water through a given tract of land or region.
- "Flood Plain" means the land bordering a stream, built up of sediments from overflow of the stream and subject to inundation when the stream is at floodstage.
- "Mound" means a soil absorption sewage treatment system that is elevated above the natural ground surface in a suitable fill material as defined in Section 906.40.
- "Perched Water Table" means groundwater which is trapped above a normal water table by an impervious formation.
- "Percolation Rate" means the downward movement of water through a

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saturated soil.

"Permeable Soil" means soil which has a percolation rate between 18 and 180 minutes. (See Appendix A, Illustration G of the Private Sewage Disposal Code for meaning of percolation rate and percolation test procedure.)

"Shallow Permeable Soil" means pervious soil over creviced or porous bed rock, 5 1/2 feet or less in thickness.

"Slowly Permeable Soil" means soil having a percolation rate of between 180 and 360 minutes.

Section 906.25 Incorporated Materials

- a) The following federal and state regulations, standards and statutes are incorporated or referenced in various sections of this Part.

- 1) 1986 Annual Book of ASTM Standards:

American Society for Testing and Materials
1916 Race Street
Philadelphia, PA 19103

- 2) American Society for Testing and Materials (ASTM) required standards for approved plastic pipe and published by:

American Society for Testing and Materials
1916 Race Street
Philadelphia, PA 19103

- b) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- c) All materials incorporated by reference are available for inspection and copying at the Department's Central Office, Division of Environmental Health, 525 West Jefferson, Springfield, Illinois 62761.

Section 906.30 Soil and Site Requirements

In order to be suitable for mound construction, the site shall meet the following requirements and those listed in Appendix A, Exhibit A.

- a) Percolation Rates. Percolation rates shall be used to determine the suitability of the site for accepting effluent. Percolation tests

shall be performed according to the procedure outlined in Appendix A, Illustration G of the Private Sewage Disposal Code (77 Ill. Adm. Code 905). Excepting that, percolation tests shall be performed at a depth of 20-24 in. from the natural surface. However, in cases where a more slowly permeable soil horizon is above this depth the percolation tests shall be conducted in the more slowly permeable soil horizon. Those results shall be used in the design of the mound. For shallow permeable soils over pervious bedrock, the percolation test shall be run at a depth of 12-18 in. below the natural surface. For permeable soils with high water tables, the percolation test shall be run at a depth of 20-24 in. below the natural surface.

- b) Depth to Pervious Rock or Seasonal High Water Table. There shall be a minimum of 24 in. of unsaturated soil between the soil surface and pervious bedrock or the seasonal high water table, including a perched water table, at the proposed mound site. High water tables can be determined by direct observation or by soil mottling. Occurrence of grey and red soil mottling patterns can be used to indicate periodic saturation with water.
- c) Rocky Soils. If the soil contains 50% rock fragments or more by volume in the upper 24 in. of soil, the mound basal area shall be 25% larger than that normally required.
- d) Slopes. The mound shall be placed upslope and not at the base of the slope of the existing ground. On a site where there is a complex slope, (two directions), the mound shall be situated such that the liquid is not concentrated in one area downslope. Upslope runoff shall be diverted around the mound. For the more permeable soils where the percolation rate is 18-179 min., slopes shall not exceed 12%. For tighter soils where the percolation rate is 180-360 min., slopes shall not exceed 6%.
- e) Flood Plains. Construction of mound systems shall not be allowed in flood plains, drainage ways or depressions.
- f) Sites with Trees and Large Boulders. Sites with large trees, numerous smaller trees or large boulders are unsuitable for the mound system. If no other site is available, the trees shall be cut off at ground level, leaving the stumps. An increase in mound basal area shall be required where stumps are involved, so that sufficient soil is available to accept the effluent. The increase in mound area shall equal the surface area of the stumps on the mound site.
- g) Site Preparation
- 1) Vegetation shall be cut and removed from the site prior to

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construction. The site must then be plowed with a mold board plow 7-8 in. deep with the plowing done perpendicular to the slope. Plowing shall not be done with the furrow running up and down the slope. Chisel plowing may be used in place of mold board. Roto tilling is prohibited. However, roto tilling may be used to incorporate the vegetative cover in unstructured soil such as sand.

- 2) Site preparation shall not take place when the soil is too wet. The soil shall be considered too wet when a soil sample taken at a depth of 7-8 in. beneath the surface can be rolled between the palms of the hands into a continuous ribbon of soil. If the soil crumbles, site preparation can then proceed.
- 3) Once the site is plowed, all construction machinery and other vehicles shall be kept off the mound site. The fill material shall be deposited on the site with a backhoe or pushed on from the side, using a track type tractor, keeping 6 in. of fill beneath the tracks. At no time shall ruts be made in the plowed area. The fill shall be placed immediately after site preparation to avoid the possibility of precipitation falling on the plowed area.
- 4) All work shall be performed from the ends and upslope side, especially on fine textured soils.

Section 906.40 Fill Material

a) Below Absorption Area

- 1) A mound system shall be provided with a fill material beneath the absorption area (trenches or bed). One of the following fill materials shall be used.

- A) FA-1
- B) FA-2
- C) FA-3
- D) FA-8
- E) FA-9

- 2) These materials are classified and graded in accordance with Illinois Department of Transportation, Division of Highways specifications for fine aggregate. These materials shall meet the gradation specifications as shown for these five fine aggregates in Appendix A, Exhibit B.

- b) Above the Absorption Area. The cap (area above the bed or trenches shall consist of a topsoil to allow plant growth. Sands are not

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allowed since they drain rapidly and allow more infiltration of precipitation into the absorption area. Topsoil shall be placed to a depth of 6 in. over the entire mound to promote good vegetation cover. The cap shall soil be seeded and fertilized.

Section 906.50 Mound Design

- a) A mound system shall include a septic tank for pre-treatment of sewage. The septic tank and piping between the septic tank and the pumping chamber shall conform to the applicable rules in the Private Sewage Disposal Code (77 Ill. Adm. Code 905).
- b) The design of the mound shall be based upon the expected daily waste-water volume using the data contained in Appendix A, Illustration A, of the Private Sewage Disposal Code, (77 Ill. Adm. Code 905) and the soil percolation rate. Mounds shall be sized such that they can accept the daily waste water flow without surface seepage, and the basal area, which is the natural soil area beneath the mound, shall be sufficiently large to conduct the effluent into the underlying topsoil. The system shall also be designed to avoid encroachment of the water table into the mound.
- c) For homes having up to and including 4 bedrooms or for flows less than 800 gallons per day the mound shall be designed in accordance with 906.60. For homes with 5 or more bedrooms or for flows greater than or equal to 800 gallons the mound shall be designed in accordance with 906.70.
- d) Design of the Absorption Area
 - 1) Sizing the absorption area. The size of the absorption area is dependent upon the daily waste water flow. The design infiltration capacity of the fill material shall be 1.2 gal/ft²/day.
 - 2) Absorption Area Design
 - A) System configuration. The absorption area within the mound shall be constructed as trenches or beds. An illustration of construction using trenches and bed is shown in Appendix A, Illustration A through D. The location of the water table and soil permeability will dictate whether a trench or bed shall be used. In slowly permeable soils, two or three narrow parallel trenches shall be used instead of a bed. Trench widths shall be between 24 and 48 inches. For permeable soils either a narrow rectangular bed or two or three narrow parallel trenches may be used. Bed widths shall not be greater than 10 ft.

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- B) On sloping sites, the trenches and beds shall be situated perpendicular to the slope in order to prevent the concentration of effluent into small area as it moves laterally down slope. Sufficient basal area shall be provided so all the effluent infiltrates into the natural soil before it reaches the toe of the mound. With a trench system, the trench spacing shall be such that the effluent from an upslope trench shall be absorbed by the natural soil before reaching the area under the next trench downslope.
- C) The bottom of the absorption area within the bed and trenches shall be level and at the same elevation.

e) Mound Dimensions

- 1) Mound height. The mound height shall consist of the fill depth (D & E), the trench or bed depth (F), and the cap and topsoil depth (G & H) as shown in Appendix A, Illustration A through D for trench and bed construction respectively. A minimum of 1 foot of fill is required under the bed or trenches. For sites where the soil depth is less than 3 feet over creviced bedrock, the fill depth (D) shall be a minimum of 2 feet.
- 2) Bed or trench depth (F). The depth of the bed or trenches shall be at least 10 inches. A minimum of 6 in. of aggregate shall be placed beneath the distribution pipe. Clean, 1/2-2 inch stone shall be used. The use of soft limestone is prohibited.
- 3) Cap and topsoil (H & G). The depth of soil over the aggregate at the apex (H) shall be a minimum of 1.5 ft. For a 3 parallel trench system, the depth shall be a minimum of 2 ft. At the outer edge of the gravel the cap and topsoil shall be at least 1 ft. deep. The cap shall be topsoil or finer textured subsoil. A minimum of 6 inches of topsoil shall be placed over the entire mound. The topsoil shall be seeded with grass seed to control erosion.
- 4) Side and end slopes. Side and end slopes shall be no steeper than one foot vertical rise in 3 feet horizontal.

f) Basal Area

- 1) The basal area is the natural soil-fill interface of the mound. The basal area required shall be dependent upon the soil and site conditions. For level sites, the total basal area beneath the mound can be used. For sloping sites the only basal area which may be considered for design is the area beneath and

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downslope of the bed or trenches (see Appendix A, Exhibit C). The percolation rate of the natural soil shall determine the mound area required. For the percolation rates shown the following design loading rates shall be used:

- A) 60 min - 1.2 gal/ft²/day
 B) 180 min - .74 gal/ft²/day
 C) 360 min - .24 gal/ft²/day

- 2) If sufficient basal area is not available for the given design and site conditions, additional fill shall be used to make the mound wider for a level site or the fill used to extend the downslope width on a slope site until sufficient area is available.

Section 906.60 Distribution System (for sewage flows of less than 800 gallons per day)

- a) Piping System. The piping distribution system for the mound shall consist of a manifold pipe and small diameter laterals with perforations. The perforations shall be drilled at 30"-36" intervals along with the invert of the lateral. Perforations shall be installed perpendicular to the pipe axis. Perforation diameters shall be between 3/16" and 1/4". If the distance between the end of the lateral and the nearest perforation is greater than 1/2 the perforation spacing used, another hole shall be installed in or near the end cap of the lateral. A typical distribution system for a mound is shown in Appendix A, Illustration E. For a trench system, one lateral shall be required per trench; for a bed system, up to 3 laterals may be used. Laterals shall extend to within 6 inches of the end of the bed or trench. Lateral spacing shall be a maximum of 3 ft. for beds in small mounds only (1-4 bedroom sized system). Pipe diameter will depend upon the length of bed or trenches. The allowable lateral lengths for various size diameter pipes and various hole spacings are given in Appendix A, Exhibit D. The system shall be designed and placed so that the laterals and manifold drain after every dosing. If the mound is downslope of the pumping chamber, the manifold shall be on top of the laterals so the manifold drains, or cross-to-cross construction used. For systems which are to treat a flow of more than 800 gallons per day, the manifold and lateral network must be designed in accordance with Section 906.70. All piping shall be Schedule 40 Polyvinyl Chloride (ASTM Standard D1785/76) or Schedule 40 Acrylonitrile/Butadiene/Styrene (ASTM Standard D1527/77).

- b) Pumping System. The components of the pumping system shall consist of the pumping chamber, pump, pump controls and alarm system as shown in Appendix A, Illustration F. The dosing volume shall be ten times

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the total lateral pipe void volume or one-fourth the estimated daily sewage flow, whichever is greater. Appendix A, Exhibit F lists the void volumes for various sizes of pipe. The daily volume of sewage shall be determined using Appendix A, Illustration A of the Private Sewage Disposal Code (77 Ill. Adm. Code 905).

1) Pumping Chamber Requirements:

- A) Pumping Chamber. Appendix A, Illustration F gives a cross-section of a typical pumping chamber. The volume shall be sufficient to provide the desired dosing volume, space for controls, space for setting the pump on a pedestal, and extra volume for a malfunction and flow-back after pump shuts off. Appendix A, Exhibit G establishes pumping chamber sizes for the various sized systems. Larger tanks may be used, but they may limit the flexibility of adjusting the desired dosing quantity. Sufficient volume must be available to provide for the dose volume, pump pedestal and controls.

- B) The pumping chamber shall be waterproof. Waterproofing shall consist of sealing all joints and coating the outside of the tanks. The pumping chamber shall be filled with water after being installed and back filled to prevent the pumping chambers from floating out of position due to hydrostatic pressures, unless the tank is installed in dry soil. A riser pipe shall extend at least 6 in. above the ground surface. All electrical controls shall be mounted outside the tank. The pump disconnect shall be accessible for easy pump removal in the event of pump failure.

- 2) Pump Selection. The pump shall be a submersible pump designed for corrosive liquids and shall be capable of maintaining at least 2 feet of head at the distal ends of the laterals. The pump switch shall be controlled by a float in the pumping chamber, set so that the required dosing volume is discharged during each pumping cycle. A check valve between the pump and the piping network manifold shall not be allowed.

- 3) Pump and Alarm Control. The control system for the pumping chamber shall consist of a control for operating the pump and an alarm system to detect when the system is malfunctioning. Pump controls shall be selected which give flexibility in adjusting the on-off depth. Example of acceptable controls are shown in Appendix A, Illustration F. Pump controls shall be adjusted to pump the required dose of sewage plus the volume of sewage which flows back to the pumping chamber after shut-off.

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- 4) Electrical and Alarm System. The alarm system shall consist of an audible and visual alarm in the home or facility building. This system shall be on a circuit separate from the pump. The electrical controls shall be placed outside the pumping chamber.
- 5) Siphons. Siphons can be designed where elevation exists between the mound and the siphon chamber. However, the siphon shall be designed to deliver the same flow rate at the same head as the distribution system as a pump system. The distribution system consisting of manifold and laterals shall be designed so that it will drain after each siphon. This shall be accomplished by placing the manifold above the laterals.

Section 906.70 Distribution System (for sewage flows in excess of 800 gallons per day)

a) Design criteria for laterals.

- 1) The variation in discharge rates from the perforations in any lateral shall not exceed ten percent.
- 2) The variation in discharge rates between the perforations of any two laterals shall not exceed 15%.
- 3) The pressure at the distal ends of the lateral shall be at least 2.5 feet of water.

b) Perforations. The perforation requirements of this Section shall be used in place of those of Section 906.60.

- 1) The perforations shall be spaced uniformly along the laterals and at an interval not to exceed 10 feet.
- 2) Perforations shall be installed perpendicular to the centerline of the lateral and along the lateral invert.
- 3) Perforation diameter shall be between 1/4 and 5/8 inches.
- 4) To facilitate the draining of laterals between dosing cycles, a perforation shall be installed at the distal end of each lateral near the crown of the pipe.

c) Network Configuration

- 1) The laterals shall be installed in seepage beds. The lateral spacing shall equal the perforation spacing. The perforations of adjacent laterals in the bed shall be staggered.

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- 2) Mounds employing multiple beds may be used. Also, multiple mounds may be employed. If bed elevations are not all equal, then this fact must be considered in the design of the pipe network in order to provide uniform dosing of effluent.
- 3) Manifold-to-lateral connections shall be made using tee-to-tee construction, with the manifold below the laterals (see Appendix A, Illustration G). If the design is such that the manifold does not drain between dosing cycles, then insulation or some other means shall be provided to prevent freezing. In addition, provisions shall be made for manual draining of the manifold.
- 4) Two separate distribution networks may be employed, with each network receiving alternate doses of effluent through the use of alternating pumps, valves, or siphons.
- 5) Siphons or siphon breaks shall be used in networks where the low water level in the pumping chamber is above the lateral inverts.

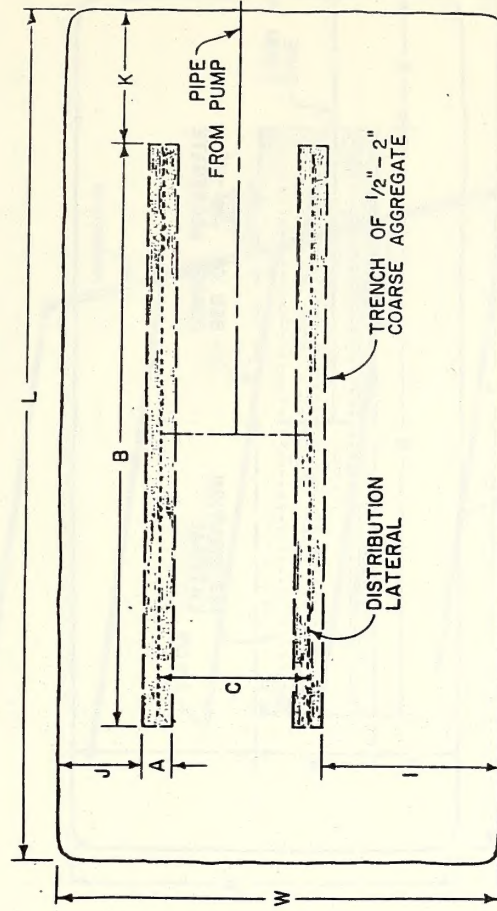
d) Pumping Chamber

- 1) Dosing volume. Dosing volume shall be determined by dividing the average daily sewage flow by the dosing frequency for the particular soil type, as is shown in Appendix A, Illustration H. Dosing volume shall be at least five times the pipe volume of the network. The dosing volume is the amount of liquid pumped or siphoned during each cycle minus the amount which drains back from the system after each dose.
- 2) Reserve capacity. If a single pump is used, a reserve capacity equal to one day's average sewage flow shall be provided. A reserve capacity is not required if multiple pumps or siphons are used.
- 3) A high water alarm switch shall be installed 2-3 inches above the pump or siphon activation level. The switch shall be on a circuit separate from the pump controls.
- 4) The pump or pumps shall be of a submersible type, designed for corrosive liquids. The control switches shall be corrosion resistant. All electrical contacts and relays shall be mounted outside the chamber. Provisions shall be made to prevent gases in the chamber from following the electrical conduits into the control box.

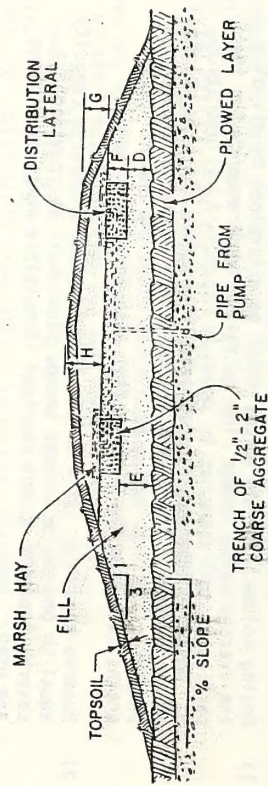
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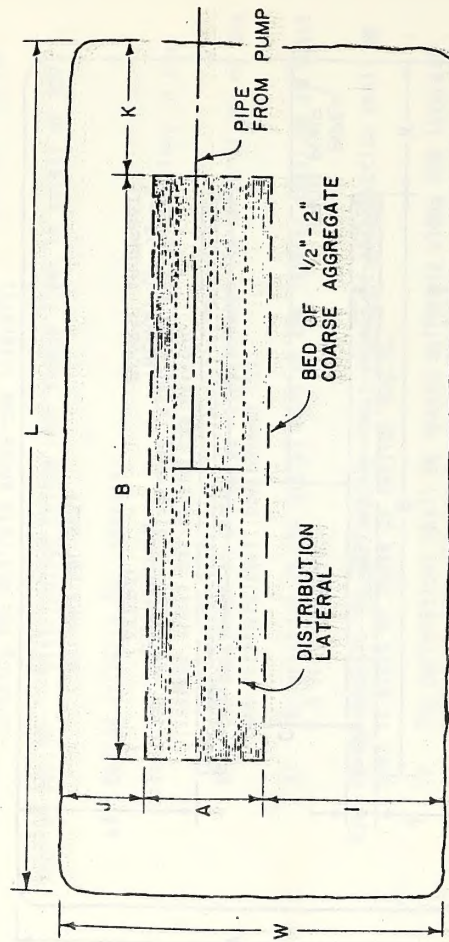
Section 906. Appendix A ILLUSTRATION A Plan View of a Mound Utilizing Two Trenches as the Absorption Area



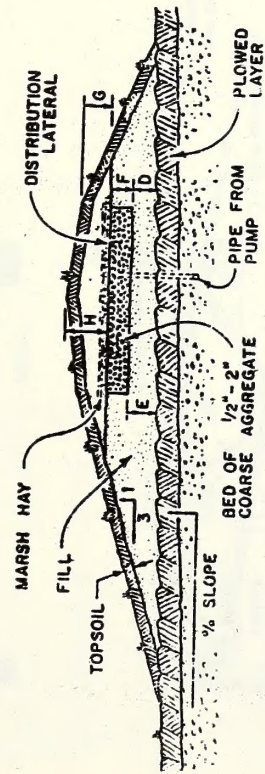
Section 906. Appendix A ILLUSTRATION B Cross-Section of a Mound Using Trenches for the Absorption Area



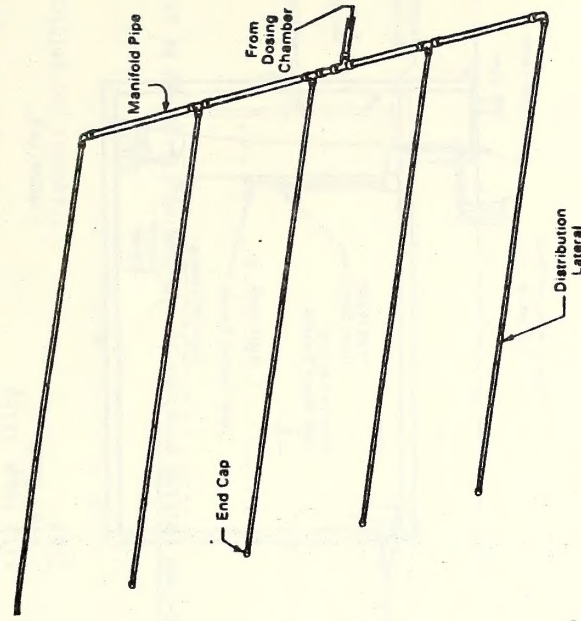
Section 906. Appendix A ILLUSTRATION C Plan View of a Mound Utilizing a Bed as the Absorption Area



Section 906. Appendix A ILLUSTRATION D Cross-Section of a Mound Using a Bed for the Absorption Area

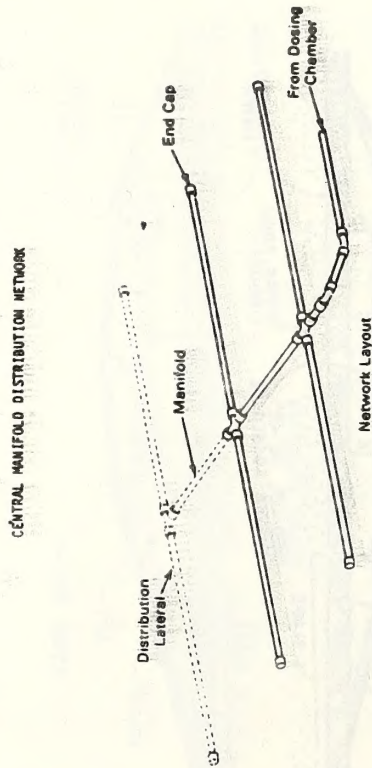


Section 906. Appendix A ILLUSTRATION E Mound Distribution System

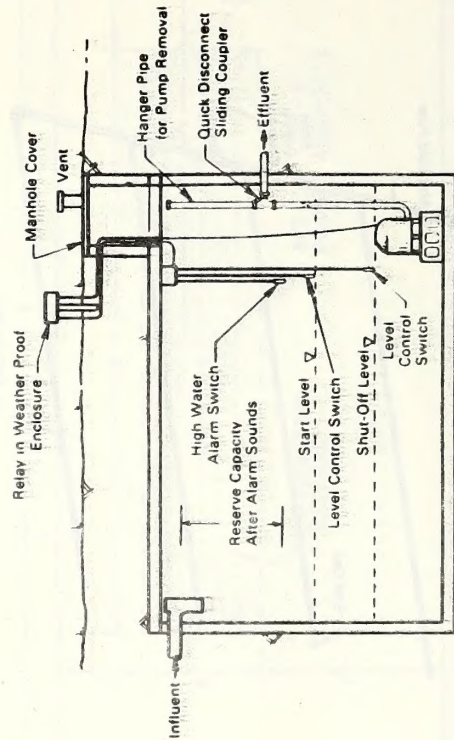


END MANIFOLD DISTRIBUTION NETWORK

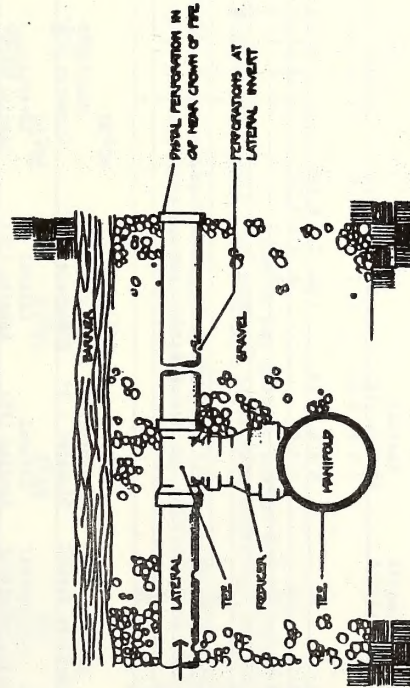
Section 906. Appendix A Illustration E Mound Distribution System (continued)



Section 906. Appendix A Illustration F Typical Pumping Chamber



Section 906.Appendix A ILLUSTRATION G Tee-To-Tee Lateral/Manifold Construction



Section 906. Appendix A ILLUSTRATION H Dosing Frequencies for Various Soil Textures

<u>Soil Texture</u>	<u>Dosing Frequency</u>
Sand	4 doses/day
Sandy loam	1 dose/day
Loam	Frequency not critical*
Silt loam; silty	
clay loam	1 dose/day*
Clay	Frequency not critical*

*Long-term resting provided by alternating fields may be desirable.

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Section 906. Appendix A ILLUSTRATION I

Maximum Manifold Length (ft) for Various Manifold Diameters Given the Lateral Discharge Rate and Lateral Spacing

Lateral Discharge Rate	Manifold Diameter - 1 1/4"		Manifold Diameter - 1 1/2"		Manifold Diameter - 2"	
	Central Spacing (ft)	Lateral Spacing (ft)	Central Spacing (ft)	Lateral Spacing (ft)	Central Spacing (ft)	Lateral Spacing (ft)
10	5	4 8 6 11 10	10	5 6 8 10	12	16 24 24 30
20	10	4 4 6	4	4 6 8 10	4	8 12 16 20
30	15	2	2	4 6	6	8 10
40	20				4	4 6 8 10
50	25				2	4 6 8
60	30				2	4
70	35				2	4
80	40				2	4
90	45				2	4
100	50				2	4

Lateral Discharge Rate	Manifold Diameter - 3"		Manifold Diameter - 4"		Manifold Diameter - 6"	
	Central Spacing (ft)	Lateral Spacing (ft)	Central Spacing (ft)	Lateral Spacing (ft)	Central Spacing (ft)	Lateral Spacing (ft)
10	5	24 40 48 56 70	42 64 84 96 110	84 136 174 206 240		
20	10	16 24 30 32 40	26 40 54 64 70	54 84 108 128 150		
30	15	12 16 24 24 30	20 28 36 48 50	42 64 84 96 110		
40	20	10 12 16 20	16 24 30 32 40	34 52 66 80 90		
50	25	8 12 16 20	14 20 24 32 40	30 44 60 72 80		
60	30	6 8 12 16 20	12 16 24 24 30	26 40 48 64 70		
70	35	6 8 12 16 20	10 16 18 24 30	24 36 48 56 60		
80	40	6 8 12 16 20	10 12 18 16 20	22 32 42 48 50		
90	45	4 8 6 8 10	8 12 18 16 20	20 28 42 48 50		
100	50	4 4 6 8 10	8 12 12 16 20	18 28 36 40 50		
110	55	4 4 6 8 10	8 12 12 16 20	16 24 36 40 40		
120	60	4 4 6 8 10	6 8 12 16 10	16 24 30 32 40		
130	65	4 4 6 8 10	6 8 12 16 10	14 24 30 32 40		
140	70	2 4 6 8	6 8 12 8 10	14 20 24 32 40		
150	75	2 4 6	6 8 12 8 10	14 20 24 32 30		
160	80	2 4 6	6 8 6 8 10	12 20 24 32 30		
170	85	2 4 6	4 8 6 8 10	12 20 24 24 30		
180	90	2 4 6	4 8 6 8 10	12 16 24 24 30		
190	95	2 4 6	4 8 6 8 10	12 16 18 24 30		
200	100	2 4 6	4 4 6 8 10	10 16 18 24 30		

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Section 906. Appendix A EXHIBIT A Soil and Site Factors that Restrict Mound Systems

Restricting Factors:

Soil Group

Slowly Permeable Soils
Permeable Soils With Pervious Bedrock
Permeable Soils With High Water Tables

Percolation rate ^a	180-360 min.	18-180 min.	18-180 min.
Depth to pervious rock	24 in.	24 in.	24 in.
Depth to high water tables	24 in.	24 in.	24 in.
Minimum depth to impermeable soil layer or rock strata	60 in.	60 in.	60 in.
Depth to 50% by volume rock fragments	24 in.	24 in.	24 in.
Slope	6%	12b	12% ^a

^a Percolation test depth at 24 in., 12 in., and 24 in., for slowly permeable, shallow soils and high water table soils, respectively, unless there is a more restrictive horizon above. If perched water is at 24 in., test depth should be held to 16 in.

^b For percolation rate of 18-90 minutes max. slope is 12% and for 18-360 minutes, max. slope is 6%.

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Section 906.Appendix A EXHIBIT B Fine Aggregate Gradations

		Sieve Size									
		Percent Passing									
Grad. No.	3/8	No. 4	No. 8	No. 10	No. 16	No. 40	No. 50	No. 80	No. 100	No. 200	
FA 1	100	97+3			65+20		16+13		5+5		
FA 2	100	97+3			65+20		20+10		5+5		
FA 3	100	97+3		80+15	50+20		25+15			3+3	
FA 4	100				5+5						
FA 5	100	92+8							20+20	15+15	
FA 6		92+8							20+20	5+5	
FA 7		100		97+3	75+15			35+10	3+3	2+2	
FA 8			100		60+20				5+5		
FA 9			100		90+10		20+15	60+30			
FA 10				100						7+7	

Horizontal Grad No. Indicates the sieve sizes used to test the material sample. FA numbers indicate the Illinois Department of Transportation fine aggregate sizes.

Numbers throughout the table such as 97 ± 3 mean that 97% of the sample, plus or minus 3% of the sample passed through the screen.

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Section 906.Appendix A EXHIBIT C Downslope and Upslope Width Corrections for Mounds on Sloping Sites

Slope %	Dowslope (I) Correction Factor	Upslope (J) Correction Factor
0	1.00	1.00
2	1.06	.94
4	1.14	.89
6	1.22	.86
8	1.32	.80
10	1.44	.77
12	1.57	.73

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Section 906. Appendix A EXHIBIT D Allowable Lateral Lengths (Feet) for Three Pipe Diameters, Three Perforation Sizes, and Two Perforations Spacings 906.60 if system is to treat flow from more than 4 bedrooms)

Perforation Spacing (in)	Perforation Diameter (in)	(1 in)	(1-1/4 in)	(1-1/2 in)
30	3/16	34	52	70
	7/32	30	45	57
	1/4	25	38	50
36	3/16	36	60	75
	7/32	33	51	63
	1/4	27	42	54

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Section 906. Appendix A EXHIBIT E Dosing Quantity for Various Sized Homes

Home Size No. Bedrooms	Gallons Day	Dosing Quantity* Gal/Dose
1	200	50
2	400	100
3	600	150
4	800	200

* Each system must be checked to determine if this quantity is at least 10 times the lateral void volume.

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Section 906. Appendix A EXHIBIT F Void Volume for Various Diameter Pipes

Diameter inch	Volume gal/ft/length
1	.041
1 1/4	.064
1 1/2	.092
2	.164
3	.368
4	.655
6	1.470

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

Section 906. Appendix A EXHIBIT G Pumping Chamber Sizes for Various Sized Homes

Home Size No. Bedrooms	Minimum Pumping Chamber Size Gallons
1	250-500
2	250-500
3	500-750
4	500-750

Section 906. Appendix A EXHIBIT H
Perforation Discharge Rates in Gallons
per Minute Versus Perforation Diameter
and In-Line Pressure

In-Line Pressure (ft)	Perforation Diameter (in)						
	1/4	5/16	3/8	7/16	1/2	9/16	5/8
1.0	0.74	1.15	1.66	2.26	2.95	3.73	4.60
1.5	0.90	1.41	2.03	2.76	3.61	4.57	5.64
2.0	1.17	1.82	2.62	3.57	4.66	5.90	7.28
3.0	1.28	1.99	2.87	3.91	5.10	6.46	7.97
3.5	1.38	2.15	3.10	4.22	5.51	6.98	8.61
4.0	1.47	2.30	3.31	4.51	5.89	7.46	9.21
4.5	1.56	2.44	3.52	4.79	6.25	7.97	9.77
5.0	1.65	2.57	3.71	5.04	6.59	8.34	10.29

Section 906. Appendix A EXHIBIT I Friction Loss in Schedule 40 Plastic Pipe

Flow gpm	Friction Loss in Schedule 40 Plastic Pipe, C = 150 (ft/100 ft)					
	1	1-1/8	1-1/2	2	3	4
1	0.07					
2	0.28	0.07				
3	0.60	0.15	0.07			
4	1.11	0.26	0.12			
5	1.52	0.39	0.18			
6	1.94	0.52	0.25			
7	2.39	0.66	0.32	0.07		
8	2.83	0.81	0.40	0.10		
9	3.33	0.97	0.48	0.14		
10	4.57	1.21	0.58	0.17		
11	5.50	1.46	0.70	0.21		
12		1.77	0.84	0.25		
13		2.09	1.01	0.30		
14		2.42	1.17	0.35		
15		2.74	1.33	0.39		
16		3.06	1.45	0.44	0.07	
17		3.49	1.65	0.50	0.08	
18		3.93	1.86	0.56	0.09	
19		4.37	2.07	0.62	0.10	
20		4.81	2.28	0.68	0.11	
25		5.23	2.46	0.74	0.12	
30			2.65	0.81	0.16	
35			2.82	0.88	0.23	0.07
40			2.99	0.95	0.30	0.09
45			3.17	1.02	0.39	0.12
50			3.36	1.10	0.48	0.16
60			3.98	1.28	0.58	0.21
70				1.48	0.81	0.28
80				1.68	1.08	0.37
90				1.88	1.38	0.46
100				2.09	1.73	0.55
150					2.09	0.77
200					1.17	0.16
250					0.62	0.28
300					0.41	0.41
350					0.28	0.51
400					0.18	0.78
450					0.12	1.06
500					0.09	1.22
600					0.09	0.32
700					0.11	0.36
800					0.14	0.54
900					0.18	0.72
1000					0.24	0.32
					0.38	0.46
					0.46	0.48

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

1) HEADING OF THE PART: Sport Fishing Regulations for the Waters of Illinois2) CODE CITATION: 17 Ill. Adm. Code 8103) SECTION NUMBERS: EMERGENCY ACTION:

810.100

New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1987, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)5) EFFECTIVE DATE OF AMENDMENTS: July 14, 19896) IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE:
These emergency amendments will remain in effect for the 150-day period.7) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: July 14, 19898) REASON FOR EMERGENCY: The purpose of these emergency amendments is to protect the beds of public streams and lakes in Illinois and the aquatic life that live and spawn in the shallow areas by making recreational driving on these beds a petty offense.9) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: Due to the low-water conditions existing in many areas of the State created by the 1988 drought and the 1989 lack of water sufficient to fully recharge the water tables, many areas utilized as fish spawning beds and mussel beds are accessible to motor vehicles. Driving motor vehicles through these areas destroys the beds and eggs of aquatic animals and the aquatic plants, which causes serious depletion of many forms of aquatic life, including sport fish and plants and animals which are part of the food-chain of sport fish. The public has an interest in preserving and propagating the aquatic life, and the destruction caused is a threat to public interest.10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? No11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable): This rule has no impact on local governments.12) INFORMATION AND QUESTIONS REGARDING THESE AMENDMENTS SHALL BE DIRECTED TO:Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

THE FULL TEXT OF THE EMERGENCY AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

- 1) Heading of the Part for which proposed rulemaking is being corrected:

Pay Plan

- 2) Code Citation: 80 Ill. Adm. Code 310

- 3) Illinois Register citation to Notice of Proposed Amendments:

13 Ill. Reg. 10725; July 7, 1989.
(Issue Date)

- 4) Sections being corrected: 310.230 and 310.290

- 5) Corrections being made:

In Section 310.230, Part-Time Daily or Hourly Special Services Rate, the maximum hourly and daily rates for the following are being corrected as follows:

Office Aide	\$3.50 to \$4.00	\$7.50 (per hour)
Office Assistant	\$4.00 to \$5.00	\$8.75 (per hour)
	\$42 to \$45	\$65
Office Associate	\$4.00 to \$7.00	\$9.50 (per hour)

In Section 310.290, Out-of-State or Foreign Service Rate, increases in the minimum rates for the following six titles are being retracted in order to stay in alignment with the Merit Compensation System Salary Schedule:

Foreign Service Economic Development Executive I	\$2521	-4217	4365
Foreign Service Economic Development Executive II	3268	-5546	5740
Foreign Service Economic Development Representative	2170	-3507	3630
Revenue Audit Supervisor			
(CA, OH, TX)	2869	-4894	5057
(NJ)	2868	-5524	5776
Revenue Deputy Regional Administrator			
(CA, OH, TX)	3044	-5227	5411
(NJ)	3044	-5909	6117
Revenue Regional Administrator			
(NJ)	3250	-6323	6544

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

- 1) Heading of the Part for which proposed rulemaking is being corrected:
Certified Shorthand Reporters Act
- 2) Code Citation: 68 Ill. Adm. Code 1200
- 3) Illinois Register citation to Notice of Proposed Amendments: 13 Ill. Reg. 11993; July 21, 1989.
- 4) Section being corrected: 1200.30
- 5) Corrections being made:

In Section 1200.30(a)(2)(A), the words "without the use of a dictionary" were struck through and the words "the use of one dictionary per person is permitted" were added - this was done inadvertently. The use of a dictionary is not permitted in the written knowledge examination. Therefore, the proposed amendment was incorrect as written and has been changed to read as it did prior to the notice.

Section 1200.30(d)(1) should have been changed to reflect the idea that the use of only one dictionary per person is permitted, but it was not. Therefore, it is necessary to add the following sentence to this subsection: "The use of only one dictionary per person is permitted." Also, the word "dictionary" in the first sentence has been deleted and placed at the end of that sentence.

The text of Section 1200.30 follows and incorporates the corrections mentioned above.

Section 1200.30 Examinations

- a) The Examination for certification as a certified shorthand reporter shall be administered by the Department or its designated testing service. The examination shall be given in 3 portions, as set forth below. Applicants are required to pass the Preliminary Examination before being allowed to take either the Written or the Dictation Examination. Applicants who present satisfactory evidence to the Department of success in an examination which the Department deems to be equivalent to the Preliminary Examination shall not be required, to take the Preliminary. (An examination shall be deemed equivalent if it is as specified in Section 1200.30(b)(2) of this Part.) Satisfactory evidence shall be as specified in Section 1200.30(b) of this Part.

- 1) Preliminary Examination. A Preliminary Examination will be

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

required of all applicants, except as provided in subsection (b), below. The applicant will be tested on his ability to make a verbatim record on unfamiliar testimony dictated for 5 minutes at a minimum speed of 200-225 words per minute with at least 98% 94% accuracy.

2) Written Knowledge Examination. The Written Examination is given to determine the applicant's competency and ability:

A) To understand the English language, including reading, spelling and the applicant's knowledge of day to day vocabulary, as well as medical, legal and technical vocabulary, without the use of a dictionary.

B) To accurately report any of the matters comprising the practice of shorthand reporting as defined in the Illinois Certified Shorthand Reporters Act of 1984 (Ill. Rev. Stat. 1987, ch. 111, par. 6201 et seq.) (the "Act"), by the use of any system of manual or mechanical shorthand or shorthand writing.

C) To clearly understand the obligations between a shorthand reporter and the parties to any proceedings reported; and

D) To understand the provisions of the Act.

3) Dictation Examination

A) This portion of the examination shall consist of the following parts:

i) General dictation at 200 words per minute for 5 minutes with an allowance of 50 errors. (Definition: spoken words presented in court proceedings, depositions, arbitrations, speeches, and hearings).

ii) Testimony, 2 voice, 225 words per minute for 5 minutes with an allowance of 57 errors.

B) Transcription. Upon completion of both parts of the Dictation Examination, the applicant shall transcribe both parts in double-space form.

C) The applicant shall be allowed an aggregate of three hours with which to complete all of such transcription. Those retake applicants required to transcribe only one part of the Dictation Examination shall be allowed only one and one-half hours.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

b) Waiver of Preliminary Examination

1) The Department shall waive the Preliminary Examination for applicants who submit:

A) A Registered Professional Reporter's Certificate by examination or a Certificate of Merit issued by the National Shorthand Reporters Association; or

B) An Affidavit of Ability from a shorthand reporting school which conducts an equivalent preliminary examination, as determined by the Department upon the recommendation of the Shorthand Reporters Board of Examiners.

2) The Affidavit of Ability, Certificate of Merit, and Registered Professional Reporter's Certificate by examination will be void upon the third failure of the examination by an applicant, and the applicant will be required to sit for the preliminary examination as well as the other portions of the examination as required by Section 1200.30(c)(3).

3) In evaluating whether a shorthand reporting school gives an equivalent preliminary examination, the Board shall consider the following factors:

A) Whether the test meets the minimum standards set out for the preliminary examination set forth in Section 1200.30(a)(1) above;

B) Test security; and

C) The preceding performance record on Illinois licensure examinations of the students from that school, specifically:

i) The number of examinees;

ii) Grades;

iii) Failure rate; and

iv) Trends.

c) Grading of the Examination

1) The passing grade on the written examination set forth in subsection (a)(2) is 75%.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

- 2) An applicant will have successfully completed the preliminary examination if he transcribes the testimony dictated for 5 minutes at a minimum speed of 200 225 words per minute with at least 98% 94% accuracy.
- 3) An applicant will pass the dictation examination set forth in this subsection if he successfully transcribes within the given time periods set forth in subsections (A) and (B) below:
 - A) 200 words per minute for 5 minutes with a maximum of 50 errors or less on the general dictation portion; and
 - B) 225 words per minute for 5 minutes with a maximum of 57 errors on the 2 voice testimony.
- 4) In scoring the dictation examination, "Q" representing question and "A" representing answer, shall not be counted as words in the testimony portion; however, such signs must appear in proper order in the transcript.
- 5) An applicant who fails an examination will be required, on his second and third examinations, to retake only those portions or dictation part of the examination which he did not pass.
- 6) For the purpose of retaking examinations beyond the third, the fourth examination shall be considered to be the same as the first.

d) Required Supplies for the Examination

- 1) Each applicant must supply his own dictation, pens, pencils, stenographic machine, erasers, stenograph paper, notebooks or note paper, and dictionary. The use of only one dictionary per person is permitted. Typewriters shall be supplied at the location of the examination; however, applicants may bring their own typewriters if they elect to do so.
- 2) Applicants shall not be permitted to use tape records or other electronic recording devices during the examination sessions.
- 3) Typing paper will be provided.

- e) The provisions of this Section shall apply to applicants upon adoption without regard to where the applicant is in the application process.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part:

Program Content and Guidelines for Maternal and Child Health Services

2) Code Citation:

77 Ill. Adm. Code 630

3) Register Citation to Notice of Proposed Amendments:

13 Ill. Reg. 10060 - June 30, 1989 issue of the Illinois Register.

4) Date, Time and Location of Public Hearing:

August 28, 1989
10:00 a.m.
Ground Floor Hearing Room
Illinois Department of Public Health
525 West Jefferson Street
Springfield, Illinois 62761

5) Other Pertinent Information:

This hearing will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the Hearing Officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony shall be accepted without such written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to 20 minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete the testimony.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as deemed necessary.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

6) Name and Address of Agency Contact Person:

Questions regarding these proposed amendments or public hearings shall be directed to:

Mr. Robert John Kane
Administrative Rules Coordinator
Illinois Department of Public Health
525 West Jefferson, Second Floor
Springfield, Illinois 62761

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

1) Heading of the Part:

Regionalized Perinatal Health Care Code

2) Code Citation:

77 Ill. Adm. Code 640

3) Register Citation to Notice of Proposed Rules:

This issue of the Illinois Register.

4) Date, Time and Location of Public Hearing:

August 28, 1989

1:30 p.m.

Ground Floor Hearing Room

Illinois Department of Public Health

525 West Jefferson Street

Springfield, Illinois 62761

August 31, 1989

10:30 a.m.

Illinois Hospital Association

1151 E. Warrenville Road

Naperville, Illinois 60566

5) Other Pertinent Information:

This hearing will be for the sole purpose of gathering public comment on the proposed rules. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the Hearing Officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony shall be accepted without such written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to 20 minutes for the presentation of such testimony.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

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4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as deemed necessary.

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Questions regarding these proposed amendments or public hearings shall be directed to:

Mr. Robert John Kane
Administrative Rules Coordinator
Illinois Department of Public Health
525 West Jefferson, Second Floor
Springfield, Illinois 62761

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 10, 1989 through July 14, 1989 and have been scheduled for review by the Committee at its August meeting. Other items not contained in this published list may also be considered by the Joint Committee at its August meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>Scheduled for Consideration by JCAR</u>
8/24/89	State Universities Civil Service System, State Universities Civil Service System (80 Ill. Adm. Code 250)	2/17/89 13 Ill. Reg. 1921	August, 1989
8/24/89	Department of Conservation, Dog Training on Non-Department Owned or-Managed Lands (17 Ill. Adm. Code 960)	5/19/89 13 Ill. Reg. 7515	August, 1989
8/25/89	Department of Public Aid, Child Support Enforcement (89 Ill. Adm. Code 160)	5/26/89 13 Ill. Reg. 7867	August, 1989
8/25/89	Department of Public Aid, Drug Manual (89 Ill. Adm. Code 141)	5/26/89 13 Ill. Reg. 7873	August, 1989
8/27/89	Department of Conservation, The Taking of Wild Turkeys-Fall Gun Season (17 Ill. Adm. Code 715)	5/26/89 13 Ill. Reg. 7854	August, 1989

PROCLAMATION
89-321

Great American People Show Month (Revised)

WHEREAS, the Great American People Show is a repertory theatre company dedicated to the creation and production of historical drama; and

WHEREAS, based at Lincoln's New Salem State Park, the group's shows have been seen by more than 100,000 people from over 25 countries and every U.S. state; and

WHEREAS, the shows Your Obedient Servant and Portrait of a Prairie Capitol will be performed through the month of July 1989, while Sara Teasdale: A Breath of Ecstasy is performed year-round;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 1989 as GREAT AMERICAN PEOPLE SHOW MONTH in Illinois, and I urge citizens to attend these fine presentations which so accurately and entertainingly document our state's great history.

Issued June 29, 1989. Filed July 17, 1989.

PROCLAMATION
89-328

Credit Agricole Week

WHEREAS, Credit Agricole is one of the top 10 banks in the world and the largest bank in Europe; and

WHEREAS, it started in 1894 as a cooperative for French farmers; developed as a retail bank; and now boasts the largest banking network in France with one out of three French people banking with Credit Agricole; and

WHEREAS, in 1979, Credit Agricole opened its first branch in Chicago that proved to be successful; and

WHEREAS, in the last 10 years, Credit Agricole has established a worldwide presence with a network of branches and representative offices in 16 countries; and

WHEREAS, in 1989, Credit Agricole is celebrating its 10-year anniversary in its "home-state" of Illinois;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 10-16, 1989, as CREDIT AGRICOLE WEEK in Illinois, in recognition of its outstanding service in providing financial resources for the expansion of Illinois-based companies.

Issued July 6, 1989. Filed July 17, 1989.

PROCLAMATION
89-329
Children's Day

WHEREAS, children represent the future, hope, and inspiration of our country, and the people of Illinois should celebrate children as our most valuable asset; and

WHEREAS, children should not be allowed to feel that their ideas and dreams will be stifled because adults do not take time to listen; and

WHEREAS, it is important for parents to spend time listening to their children on a daily basis; and

WHEREAS, adults should have an opportunity to reminisce on their youth in order to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years; and

WHEREAS, the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety; and

WHEREAS, parents, teachers, and community and religious leaders should celebrate the existence of children, whose questions, laughter, and tears are of major importance;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 8, 1989, as CHILDREN'S DAY in Illinois, and call upon the people of Illinois to observe the day with appropriate ceremonies and activities.

Issued July 10, 1989. Filed July 17, 1989.

PROCLAMATION
89-330
Head Injury Awareness Month

WHEREAS, more than 70,000 people, usually between the ages of 14 and 24, annually sustain serious head injuries that physically disable and intellectually impair them for the rest of their lives; and

WHEREAS, the National Head Injury Foundation was established in 1980 and exists today as a strong advocate for the head injured, their families, and the professionals who treat them. The foundation continues to grow with 32 chartered state associations and 22 local support groups in Illinois; and

WHEREAS, the Illinois Head Injury Association was established in 1983 and is making progress in attempts to increase public awareness, promote advocacy, develop support systems, encourage appropriate rehabilitation programs and services, distribute current information, and research data on head injury; and

WHEREAS, the combined efforts of the Illinois Head Injury Association and other safety groups to encourage the prevention of head injuries by the wearing of seat belts or the use of air bags, culminated in the Seat Belt Law of 1985;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as HEAD INJURY AWARENESS MONTH in Illinois to assist the foundation in its efforts to educate our citizens.

Issued July 10, 1989. Filed July 17, 1989.

PROCLAMATION
89-331
Victory Week

WHEREAS, life can be seen as a conflict between ascending forces of inner freedom and descending limitations imposed by circumstances. In this struggle, victory emerges from the undaunted ascent of the human spirit; and

WHEREAS, in this finest example of the vitality of human effort and purpose, many among us struggle each day to overcome disability and adversity. Those who succeed, and do so by providing an example to the rest of us, truly represent the victory of the human spirit. They have exemplified exceptional depth of inner strength, tenacity of purpose, integrity of effort, and courage in the face of adversity; and

WHEREAS, these special individuals have earned our respect; now they deserve recognition. By celebrating their victories, we offer hope to the more than 36 million disabled Americans facing the personal challenge of physical disability, and we also offer hope to millions of others overcoming substance abuse, mental illness or any other adversity; and

WHEREAS, the National Rehabilitation Hospital, which sponsors the Annual Victory Awards Celebration in Washington, D.C. in collaboration with the State of Illinois, joins in recognizing those individuals;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim November 5-11, 1989, as VICTORY WEEK in Illinois.

Issued July 10, 1989. Filed July 17, 1989.

PROCLAMATION
89-332
Governor's State University Day

WHEREAS, Governors State University was established July 17, 1969 in what is now University Park, Illinois, as a public university offering baccalaureate and master's degrees; and

WHEREAS, Governors State University begins the celebration of its 20th anniversary year with Founders Day ceremonies on July 17, 1989; and

WHEREAS, the university is one of five institutions of the Illinois Board of Governors of State Colleges and Universities system; and

WHEREAS, Governors State University has provided education for nearly 60,000 persons and awarded approximately 15,000 degrees; and

WHEREAS, the university has gained a national reputation as an innovator in the use of telecommunications in connection with educational delivery;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 17, 1989, as GOVERNORS STATE UNIVERSITY DAY in Illinois. I commend the university for the fine service it has provided to its students and the valuable contribution it makes to higher education in the state of Illinois.

Issued July 11, 1989. Filed July 17, 1989.

PROCLAMATION
89-333

Housekeepers' Week

WHEREAS, the 6,000 members of the National Executive Housekeepers Association (NEHA) are instrumental in providing a vital service on a day-to-day basis for the public; and

WHEREAS, these professionals are responsible for achieving a hygienic and safe environment in public and private institutions such as hotels, schools, government buildings, and health care facilities; and

WHEREAS, since its founding in 1930, the NEHA has endeavored to provide leadership and professional education for its members; and

WHEREAS, the 13th Biennial Assembly, with the theme "Opportunity With Unity," will be held in Des Moines, Iowa, in June 1989;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 10-16, 1989, as HOUSEKEEPERS' WEEK in Illinois, in recognition of the importance of this profession which is too often taken for granted.

Issued July 11, 1989. Filed July 17, 1989.

PROCLAMATION
89-334

Leif Ericsson Day

WHEREAS, Leif Ericsson first came to these shores in about the year 1000; and

WHEREAS, the Icelandic explorer is believed to be the first European to visit the North American Continent; and

WHEREAS, Ericsson was known and is remembered for his prowess in navigation, his courage, and his determination;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 10, 1989, as LEIF ERICSSON DAY in Illinois, in conjunction with the national observance.

Issued July 11, 1989. Filed July 17, 1989.

PROCLAMATION
89-335
NYMA Day

89

WHEREAS, the New York Military Academy (NYMA) was founded in 1889 by Colonel Charles J. Wright, a Civil War veteran; and

WHEREAS, the academy first opened with 75 cadets and seven faculty members, and it fulfilled Colonel Wright's vision to provide a secondary school in a military environment that created "an atmosphere conducive to effective academic learning"; and

WHEREAS, although the NYMA's original home, the Glen Ridge House, was destroyed by fire in 1910, the pride and spirit of the academy were not, and new barracks were built soon after and named in honor of Colonel Sebastian C. Jones, the school's second superintendent; and

WHEREAS, NYMA now has a limited enrollment of 350-375 cadets, allowing each to receive a more thorough, personal education; and

WHEREAS, today, the NYMA is a successful, first-rate military academy dedicated to elevating and developing the intellectual, moral, physical, and military qualities of its students;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17, 1989, as NYMA DAY in Illinois in honor of the New York Military Academy's 100th anniversary.

Issued July 11, 1989. Filed July 17, 1989.

PROCLAMATION
89-336
Adopt A Caseworker Day

WHEREAS, during fiscal year 1989, the number of children in Illinois who were reported as abused and neglected rose to more than 100,000; and

WHEREAS, since the average case load for Illinois Department of Children and Family Services (DCFS) caseworkers is almost 50 to one, the Illinois American Legion and American Legion Auxiliary, in cooperation with DCFS, have established a project called "Adopt a Caseworker"; and

WHEREAS, the plan recruited volunteers to help with time-consuming jobs which require only the supervision, not the attention, of caseworkers; and

WHEREAS, the project has developed supportive relationships between the caseworkers and the American Legion Post/Unit committees, and has provided goods and services to abused and neglected children and their families;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 14, 1989, as ADOPT A CASEWORKER DAY in Illinois, and urge all Illinoisans to give their support to this honorable effort.

Issued July 12, 1989. Filed July 17, 1989.

PROCLAMATION
89-337

Minority Women Caucus Days

WHEREAS, the fourth annual statewide conference of the Illinois Minority Women's Caucus (IMWC) will be held July 21-22, 1989, in Chicago at the McCormick Inn Hotel; and

WHEREAS, "Workforce 2000: Minority Women Take the Reins!" is the title of the conference that will offer informative sessions regarding the education reform bill, leadership development, self-employment and economic development, financial planning, spirituality, ways for minority women to impact upon the media, and preparing youth for the year 2000; and

WHEREAS, women and men in various occupations and disciplines will share information from the minority woman's perspective regarding their professions; and

WHEREAS, the IMWC, the Illinois affiliate of Networking Together, Inc., a seven-state regional organization, has dedicated its efforts to Asian, American Indian, Black and Hispanic women in the State of Illinois since 1980;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 21-22, 1989, as MINORITY WOMEN CAUCUS DAYS in Illinois.

Issued July 12, 1989. Filed July 17, 1989.

PROCLAMATION
89-338

Paralyzed Veterans Recognition Day

"But off with our hat and three times three for
Columbia's true-blue son;
The men below who batter the foe--the men
behind the guns."

John Jerome Rooney, The Men Behind the Guns

WHEREAS, America would not be the great, free nation it is today if it weren't for those who came to its defense in times of conflict; and

WHEREAS, the veterans who served their country will never forget the experience; and

WHEREAS, some of them made sacrifices that forever altered their lives; and

WHEREAS, special events are being conducted at this time to recognize the men and women who experienced paralysis while serving in the Armed Forces;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim August 3, 1989, as PARALYZED VETERANS RECOGNITION DAY in Illinois, and urge all citizens to pay tribute to these valiant men and women.

Issued July 12, 1989. Filed July 17, 1989.

ILLINOIS REGISTER

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PROCLAMATION

89-339

Peruvian Day In Illinois

WHEREAS, on July 28, 1821, the Republic of Peru declared its independence from Spanish rule. Today, the date is symbolic of the struggles for liberty and human dignity in every American Republic; and

WHEREAS, Illinoisans share in the bonds of friendship with the thousands of Peruvians who have made our state their home. Their contributions to life in Illinois and their dedication to the principles of freedom and democracy are respected by all;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 29, 1989, as PERUVIAN DAY IN ILLINOIS, in celebration of the 168th anniversary of the Republic of Peru's Declaration of Independence.

Issued July 12, 1989. Filed July 17, 1989.

ILLINOIS REGISTER

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PROCLAMATION

89-340

Uruguay Day

WHEREAS, August 25th is the 164th anniversary of the independence of Uruguay, a nation whose goals and objectives of freedom and democracy for its people are similar to those of the United States; and

WHEREAS, these two countries also share a long history of commercial ties, including Uruguay's invaluable assistance to the City of Chicago after its devastating fire in 1871; and

WHEREAS, as a trading partner with this country, Uruguay encourages the development of its resources, the enhancement of its agri-business, and the expansion of its industry to our mutual benefit;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim August 25, 1989, as URUGUAY DAY in Illinois, in celebration of this significant date in its history.

Issued July 12, 1989. Filed July 17, 1989.

PROCLAMATION
89-341

Congratulates Dorothy Leavell

WHEREAS, Dorothy Leavell has served as editor and publisher of Crusader Newspapers since 1968; and

WHEREAS, Ms. Leavell has been a member of the National Newspaper Publishers Association (NNPA) for 20 years. She has served as treasurer and assistant secretary and completed several terms as a member of its board of directors; and

WHEREAS, she also serves as co-chairperson of the Long-Range Planning Committee, the NNPA/NAACP Liaison Committee, and is a member of the Hospitality Committee; and

WHEREAS, Ms. Leavell was recently named the NNPA's Publisher of the Year; the highest honor that the organization bestows upon one of the nearly 200 African American newspaper publishers comprising its membership;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, congratulate DOROTHY LEAVELL for her achievements and wish her continued success in the future.

Issued July 14, 1989. Filed July 17, 1989.

PROCLAMATION
89-342

Congratulates The Anti-Cruelty Society

WHEREAS, The Anti-Cruelty Society began in 1899, concentrating its efforts on preventing cruelty to the workhorses in the streets and governing the conditions in slaughterhouses; and

WHEREAS, today, its focus is on the companion animals: suppressing cruelty, adopting them into new homes, giving them shelter, and providing humane education to the community; and

WHEREAS, the society currently operates the only low-income veterinary clinic in the area, as well as the Mobile Vaccination Clinic, which distributes free pet vaccinations and exams to clients in depressed areas of the city of Chicago; and

WHEREAS, this year, The Anti-Cruelty Society will celebrate its 90th anniversary with a benefit on September 9, 1989, to raise much-needed funds to expand its educational services; and

WHEREAS, events called "Collars and Tails," will honor Dr. Lester Fisher, who has been associated with the society since 1956, and will try to give the public the important message that all living beings have the right to live in peace;

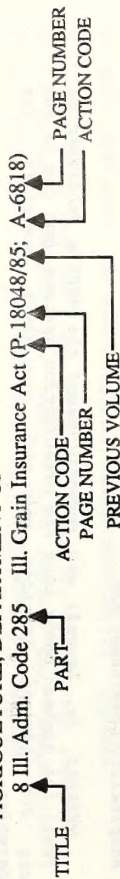
THEREFORE, I, James R. Thompson, Governor of the State of Illinois, congratulate THE ANTI-CRUELTY SOCIETY on its 90TH ANNIVERSARY, and wish it success in the future with its honorable efforts.

Issued July 14, 1989. Filed July 17, 1989.

JCAR - Joint Committee on Administrative Rules	
ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by JCAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF



ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

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89 Ill. Adm. Code 230 Older Americans Act Programs (P-14777/88; A-2015) (P-12137/88; A-3054)

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8 Ill. Adm. Code 25 Animal Welfare Act (P-19164/88; A-3628)
8 Ill. Adm. Code 75 Bovine Brucellosis (P-19172/88; A-3630)
8 Ill. Adm. Code 20 Definitions (P-19178/88; W-2166)
8 Ill. Adm. Code 85 Diseased Animals (P-19185/88; A-3642)
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8 Ill. Adm. Code 90 Ill. Dead Animal Disposal Act (P-19201/88; A-3681)
8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (P-19218/88; A-3685)
8 Ill. Adm. Code 230 Ill. Seed Law (P-3511; A-10499) (E-4015)
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8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-228) (PP-2160) (P-19211/88; A-3696)
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TYPE OF RULEMAKING		ACTION CODES	
am = amendment to existing Section	A = Adopted rule	O = ICAR Objection	
cc = codification changes	C = Correction	P = Proposed rule	
n = new Section	CC = Codification Changes	PF = Prohibited Filing	
r = repeal of existing Section	E = Emergency rule	PP = Peremptory rule	
rc = reclassified	F = Failure to Remedy	R = Refusal to Modify or Withdraw	
# = renumbered	Objections	RC = ICAR Recommendation	
	M = Modification	S = Suspended rule	
		W = Withdrawal of Proposed rule	

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20.1 am (P-19178/88; W-2166)
25.20 am (P-19164/88; A-3628)
25.30 am (P-19164/88; A-3628)
25.30 am (P-19164/88; A-3628)
25.130 am (P-19164/88; A-3628)
75.5 am (P-19172/88; A-3636)
75.190 am (P-19172/88; A-3636)
80.10 am (P-19166/88; A-3676)
80.20 am (P-19166/88; A-3676)
80.110 am (P-19166/88; A-3676)
85.5 am (P-19185/88; A-3642)
85.10 am (P-19185/88; A-3642)
85.15 am (P-19185/88; A-3642)
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90.10 am (P-19201/88; A-3681)
90.110 am (P-19201/88; A-3681)
105.5 am (P-20309/88; A-3715)
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105.30 am (P-20309/88; A-3715)
110.50 am (P-19153/88; A-3617)
110.80 am (P-19153/88; A-3617)
110.90 am (P-19153/88; A-3617)

TITLE 8 (CONTD)			TITLE 11 (CONTD)			TITLE 11 (CONTD)			TITLE 14 (CONTD)		
110.110	am	(P-19153/88; A-3617)	404.200	am	(P-13936/88; A-7440)	1770.110	n	(P-10298/88; O-3419; R-8116; A-7908)	130.826	am	(E-11017)
110.120	am	(P-19153/88; A-3617)	417.30	am	(E-1899; O-5811) (P-1979)	1770.110	r	(P-10298/88; O-3419; R-8116; A-7906)	130.840	am	(E-11017)
115.10	am	(P-19218/88; A-3685)	417.35	n	(E-1899; O-5811) (P-1979)	1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)	130.841	am	(E-11017)
115.20	am	(P-19218/88; A-3685)	417.100	am	(E-1899; O-5811) (P-1979)	1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)	130.846	n	(E-11017)
125.10	am	(PP-228)	422.20	n	(P-13922/88; A-1558)	1770.130	n	(P-10331/88; A-7906)	130.847	n	(E-11017)
125.60	am	(P-19211/88; A-3696)	437.10	n	(P-1099; O-5802; R-7484; A-7435)	1770.130	n	(P-10331/88; A-7906)	130.860	n	(E-11017)
125.80	am	(P-19211/88; A-3696)	437.20	n	(P-1099; O-5802; R-7484; A-7435)	1770.140	n	(P-10331/88; A-7906)	176.11	am	(P-17770/88; A-5197)
125.260	am	(PP-228)	437.30	n	(P-1099; O-5802; R-7484; A-7435)	1770.130	n	(P-10331/88; A-7906)	177.10	n	(P-20434/88; A-4937)
125.270	am	(PP-228)	437.40	n	(P-1099; O-5802; R-7484; A-7435)	1770.140	n	(P-10331/88; A-7906)	177.20	n	(P-20434/88; A-4937)
125.305	am	(PP-2160)	502.600	am	(P-18105/88; A-4931)	1770.150	n	(P-10331/88; A-7906)	177.30	n	(P-20434/88; A-4937)
230.20	am	(P-3511; A-10499) (E-4015)	502.120	am	(P-17755/88; A-1562)	1770.140	r	(P-10331/88; A-7906)	177.11	A	(P-20434/88; A-4937)
255.10	n	(P-2571)	502.600	am	(P-17755/88; A-1562)	1770.150	n	(P-10298/88; O-3419; R-8116; A-7908)	177.12	B	(P-20434/88; A-4937)
255.20	n	(P-2571)	509.40	am	(P-10171)	1770.160	n	(P-10331/88; A-7906)	470.110	n	(P-15239/88; A-11441)
255.30	n	(P-2571)	1308.20	am	(P-17766/88; O-1268; R-2167; A-2156)	1770.150	r	(P-10331/88; A-7906)	470.120	n	(P-15239/88; A-11441)
255.40	n	(P-2571)	1308.30	n	(P-17766/88; O-1268; R-2167; A-2156)	1770.160	n	(P-10298/88; O-3419; R-8116; A-7908)	470.210	n	(P-15239/88; A-11441)
255.50	n	(P-2571)	1308.40	n	(P-17766/88; O-1266; R-1906; A-1841)	1770.160	r	(P-10331/88; A-7906)	470.220	n	(P-15239/88; A-11441)
255.60	n	(P-2571)	1409.120	am	(P-17766/88; O-1266; R-1906; A-1841)	1770.170	n	(P-10298/88; O-3419; R-8116; A-7908)	470.230	n	(P-15239/88; A-11441)
255.70	n	(P-2571)	1409.130	am	(P-17766/88; O-1266; R-1906; A-1841)	1770.170	r	(P-10331/88; A-7906)	470.240	n	(P-15239/88; A-11441)
255.80	n	(P-2571)	1409.132	r	(P-17766/88; A-1841)	1770.170	r	(P-10331/88; A-7906)	470.250	n	(P-15239/88; A-11441)
255.90	n	(P-2571)	1410.10	am	(P-4345/88; A-1846)	1770.180	r	(P-10331/88; A-7906)	470.260	n	(P-15239/88; A-11441)
255.140	n	(P-2571)	1410.15	r	(P-4345/88; A-1846)	1770.190	n	(P-10298/88; O-3419; R-8116; A-7908)	470.270	n	(P-15239/88; A-11441)
255.150	n	(P-2571)	1770.10	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.190	r	(P-10331/88; A-7906)	470.280	n	(P-15239/88; A-11441)
255.160	n	(P-2571)	1770.110	r	(P-10331/88; A-7906)	1770.200	n	(P-10331/88; A-7906)	470.290	n	(P-15239/88; A-11441)
255.170	n	(P-2571)	1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.200	n	(P-10331/88; A-7906)	520.700	am	(P-4985)
505.10	am	(P-19806/88; A-3703)	1770.130	r	(P-10331/88; A-7906)	1770.210	r	(P-10331/88; A-7906)	520.710	am	(P-4985)
505.20	am	(P-19806/88; A-3703)	1770.20	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.220	r	(P-10331/88; A-7906)	520.720	am	(P-4985)
505.240	am	(P-19806/88; A-3703)	1770.30	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.220	r	(P-10331/88; A-7906)	520.730	am	(P-4985)
505.280	am	(P-19806/88; A-3703)	1770.40	r	(P-10331/88; A-7906)	1770.230	n	(P-10331/88; A-7906)	520.740	am	(P-4985)
505.310	am	(P-19806/88; A-3703)	1770.50	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.240	n	(P-10331/88; A-7906)	520.750	n	(P-4985)
700.Ap. F	am	(P-2598; A-10489)	1770.60	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.250	r	(P-10331/88; A-7906)	520.1000	am	(P-4985)
700.Ap. G	am	(P-17139/88; A-3653)	1770.70	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.260	n	(P-10331/88; A-7906)	520.1010	am	(P-4985)
700.Ap. I	am	(P-14786/88; A-285)	1770.80	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.270	n	(P-10331/88; A-7906)	520.1020	am	(P-4985)
1400.147	am	(P-5545/88; A-2440)	1770.90	r	(P-10331/88; A-7906)	1770.280	am	(E-11017)	520.1030	am	(P-4985)
1400.149	am	(P-5545/88; A-2440)	1770.100	r	(P-10331/88; A-7906)	1770.290	am	(E-11017)	570.30	am	(P-20714/87; A-58)
			1770.110	r	(P-10331/88; A-7906)	1770.300	am	(E-11017)	590.10	am	(P-15249/88; A-2028)
			1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.310	am	(E-11017)	590.80	n	(P-15249/88; A-2028)
			1770.130	r	(P-10331/88; A-7906)	1770.320	am	(E-11017)	590.81	n	(P-15249/88; A-2028)
			1770.140	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.330	am	(E-11017)	590.91	n	(P-15249/88; A-2028)
			1770.150	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.340	am	(E-11017)	590.92	n	(P-15249/88; A-2028)
			1770.160	n	(P-10331/88; A-7906)	1770.350	am	(E-11017)	590.93	n	(P-15249/88; A-2028)
			1770.170	r	(P-10331/88; A-7906)	1770.360	am	(E-11017)	620.10	am	(P-14797/88; A-1758)
			1770.180	r	(P-10331/88; A-7906)	1770.370	n	(E-11017)	620.20	am	(P-14797/88; A-1758)
			1770.190	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.380	am	(E-11017)	620.30	am	(P-14797/88; A-1758)
			1770.200	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.390	am	(E-11017)	620.40	am	(P-14797/88; A-1758)
			1770.210	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.400	am	(E-11017)	620.50	am	(P-14797/88; A-1758)
			1770.220	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.410	am	(E-11017)	620.60	am	(P-14797/88; A-1758)
			1770.230	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.420	am	(E-11017)	620.70	am	(P-14797/88; A-1758)
			1770.240	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.430	am	(E-11017)	620.80	am	(P-14797/88; A-1758)
			1770.250	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.440	am	(E-11017)	620.90	am	(P-14797/88; A-1758)
			1770.260	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.450	am	(E-11017)	630.20	am	(P-4987/88; A-4164)
			1770.270	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.460	am	(E-11017)	630.40	am	(P-4987/88; A-4164)
			1770.280	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.470	am	(E-11017)			
			1770.290	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.480	am	(E-11017)			
			1770.300	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.490	am	(E-11017)			
			1770.310	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.500	am	(E-11017)			
			1770.320	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.510	am	(E-11017)			
			1770.330	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.520	am	(E-11017)			
			1770.340	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.530	am	(E-11017)			
			1770.350	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.540	am	(E-11017)			
			1770.360	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.550	am	(E-11017)			
			1770.370	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.560	am	(E-11017)			
			1770.380	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.570	am	(E-11017)			
			1770.390	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.580	am	(E-11017)			
			1770.400	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.590	am	(E-11017)			
			1770.410	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.600	am	(E-11017)			
			1770.420	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.610	am	(E-11017)			
			1770.430	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.620	am	(E-11017)			
			1770.440	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.630	am	(E-11017)			
			1770.450	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.640	am	(E-11017)			
			1770.460	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.650	am	(E-11017)			
			1770.470	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.660	am	(E-11017)			
			1770.480	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.670	am	(E-11017)			
			1770.490	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.680	am	(E-11017)			
			1770.500	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.690	am	(E-11017)			
			1770.510	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.700	am	(E-11017)			
			1770.520	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.710	am	(E-11017)			
			1770.530	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.720	am	(E-11017)			
			1770.540	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.730	am	(E-11017)			
			1770.550	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.740	am	(E-11017)			
			1770.560	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.750	am	(E-11017)			
			1770.570	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.760	am	(E-11017)			
			1770.580	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.770	am	(E-11017)			
			1770.590	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.780	am	(E-11017)			
			1770.600	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.790	am	(E-11017)			
			1770.610	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.800	am	(E-11017)			
			1770.620	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.810	am	(E-11017)			
			1770.630	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.820	am	(E-11017)			
			1770.640	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.830	am	(E-11017)			
			1770.650	n	(P-10298/88; O-3419; R-8116; A-7908)	1770.84					

TITLE 17 (CONT'D)			TITLE 17 (CONT'D)			TITLE 17 (CONT'D)			TITLE 23 (CONT'D)		
110.60	am	(P-20363/88; A-3785)	710.20	am	(P-20993/88; A-5090; O-5796)	1560.30	n	(P-2626; A-10577)	120.110	am	(P-19266/88; A-7731)
110.70	am	(P-20363/88; A-3785)	710.50	am	(P-20993/88; A-5090)	1560.30	am	(P-11991)	120.130	n	(P-19266/88; O-3416; R-7815; A-7731)
110.90	am	(P-20363/88; A-3785)	715.10	n	(P-7854)	1560.40	n	(P-2626; A-10577)	120.200	am	(P-19266/88; A-7731)
110.120	am	(P-20363/88; A-3785)	715.20	n	(P-7854)	1560.50	n	(P-2626; A-10577)	120.210	am	(P-19266/88; A-7731)
110.150	am	(P-20363/88; A-3785)	715.30	n	(P-7854)	1560.60	n	(P-2626; A-10577)	120.235	n	(P-19266/88; A-7731)
110.180	am	(P-20363/88; A-3785)	715.40	n	(P-7854)	1560.70	n	(P-2626; A-10577)	200.10	am	(P-19279/88; A-11491)
110.180	n	(P-731; A-9269)	720.10	am	(P-4435)	1560.80	n	(P-2626; A-10577)	200.30	am	(P-19279/88; A-11491)
220.20	n	(P-731; A-9269)	720.20	am	(P-4435)	1560.90	n	(P-2626; A-10577)	200.40	am	(P-19279/88; A-11491)
220.30	n	(P-731; A-9269)	720.40	am	(P-4435)	1590.110	am	(P-2622; A-10567)	200.80	am	(P-19279/88; A-11491)
220.40	n	(P-731; O-8125; RC-8128; A-9269)	730.20	am	(P-2609; A-10513)	1590.120	am	(P-2622; A-10567)	200.100	am	(P-19279/88; A-11491)
220.50	n	(P-731; A-9269)	730.30	am	(P-2609; A-10513)	2030.20	am	(P-4417)	210.10	am	(P-8766)
220.60	n	(P-731; A-9269)	740.10	am	(P-4458)	2030.30	am	(P-4417)	210.100	am	(P-8766)
220.70	n	(P-731; A-9269)	740.20	am	(P-4458)	2030.40	am	(P-4417)	210.110	am	(P-8766)
220.80	n	(P-731; A-9269)	810.30	am	(P-1690; A-8419)	2030.50	am	(P-4417)	210.120	am	(P-8766)
220.90	n	(P-731; A-9269)	810.40	am	(P-1690; A-8419)	2030.60	n	(E-2878) (P-4417)	210.130	am	(P-8766)
230.10	n	(P-4430)	810.70	am	(P-1690; A-8419)				210.140	am	(P-8766)
230.20	n	(P-4430)	870.10	r	(P-3264; A-10575)				210.150	am	(P-8766)
230.30	n	(P-4430)	870.10	n	(P-3213; A-10503)				210.210	am	(P-8766)
230.40	n	(P-4430)	870.15	r	(P-3264; A-10575)				210.220	am	(P-8766)
230.50	n	(P-4430)	870.20	n	(P-3213; A-10503)				227.10	am	(P-4097)
510.10	am	(P-3268; A-10583)	870.20	n	(P-3213; A-10503)				227.12	n	(P-4097)
530.20	am	(P-4399)	870.30	n	(P-3213; A-10503)				227.14	n	(P-4097)
530.30	am	(P-4399)	870.30	r	(P-3264; A-10575)				227.16	n	(P-4097)
530.80	am	(P-4399)	870.40	n	(P-3213; A-10503)				227.18	n	(P-4097)
530.90	am	(P-4399)	870.50	n	(P-3213; A-10503)				227.20	am	(P-4097)
530.100	am	(P-4399)	870.60	n	(P-3213; A-10503)				227.40	am	(P-4097)
530.105	am	(P-4399)	870.70	n	(P-3213; A-10503)				230.10	am	(P-12747/88; A-1535)
530.110	am	(P-4399)	930.45	am	(P-3262; A-10572)				230.30	am	(P-12747/88; A-1535)
550.30	am	(P-3273; A-10598)	960.10	n	(P-7515)				230.60	am	(P-12747/88; A-1535)
570.20	am	(P-2632; A-10589)	960.30	n	(P-7515)				254.310	am	(A-8459)
570.30	am	(P-2632; A-10589)	960.40	n	(P-7515)				254.340	am	(P-8777/88; A-8459)
570.40	am	(P-5087/88; A-12034/88; O-3468)	960.50	n	(P-7515)				254.370	am	(P-8777/88; A-8459)
			970.10	n	(P-7518)				254.390	am	(P-8777/88; A-8459)
590.10	am	(P-3221; A-10525) (E-22244/88; O-3462)	970.20	n	(P-7518)				254.610	am	(P-8777/88; A-8459)
			970.30	n	(P-7518)				254.620	r	(P-8777/88; A-8459)
590.20	am	(P-8189)	970.40	n	(P-7518)				254.2130	am	(P-8777/88; A-8459)
590.25	n	(P-8189)	970.50	n	(P-7518)				254.2230	am	(P-8777/88; A-8459)
590.40	am	(P-3221; A-10525)	970.60	n	(P-7518)				254.2235	n	(P-8777/88; A-8459)
590.50	am	(P-3221; A-10525)	1010.25	am	(P-20325/88; A-4179)				254.2245	n	(P-8777/88; A-8459)
590.60	am	(P-3221; A-10525)	1010.30	am	(P-20325/88; A-4179)				254.2255	n	(P-8777/88; A-8459)
590.60	am	(P-3221; A-10525)	1050.20	am	(P-20335/88; A-3755)				254.2310	am	(P-8777/88; A-8459)
590.60	am	(P-3221; A-10525)	1050.25	am	(P-20335/88; A-3755)				254.2320	am	(P-8777/88; A-8459)
650.20	am	(P-4442)	1050.30	am	(P-20335/88; A-3755)				254.2330	am	(P-8777/88; A-8459)
650.21	am	(P-4442)	1050.40	am	(P-20335/88; A-3755)				254.2340	am	(P-8777/88; A-8459)
650.22	am	(P-4442)	1050.40	am	(P-20335/88; A-3755)				254.2350	am	(P-8777/88; A-8459)
650.40	am	(P-4442)	1070.10	n	(P-8741)				275.90	am	(P-12745/88; A-1532)
650.50	am	(P-4442)	1070.20	n	(P-8741)				451.10	r	(P-9082)
650.60	am	(P-4442)	1070.30	n	(P-8741)				451.10	n	(P-9133)
650.60	am	(P-4442)	1070.40	n	(P-8741)				451.20	r	(P-9082)
670.30	am	(P-5052)	1070.50	n	(P-8741)				451.20	n	(P-9133)
670.40	am	(P-5052)	1070.60	n	(P-8741)				451.30	r	(P-9082)
670.50	am	(P-5052)	1070.70	n	(P-8741)				451.30	n	(P-9133)
670.55	am	(P-5052)	1070.80	n	(P-8741)				451.40	n	(P-9133)
670.60	am	(P-5052)	1560.10	n	(P-2626; A-10577)				451.50	n	(P-9133)
690.30	am	(P-2641; A-10606)	1560.20	n	(P-2626; A-10577)				451.60	n	(P-9133)
710.10	am	(P-20993/88; A-5090)	1560.20	am	(P-11991)						

TITLE 23 (CONT'D)		
451.170	n	(p-91333)
451.180	n	(p-91333)
451.190	n	(p-91333)
451.100	n	(p-91333)
451.110	r	(p-90882)
451.110	n	(p-91333)
451.120	n	(p-90882)
451.130	n	(p-91333)
451.130	r	(p-90882)
451.140	r	(p-90882)
451.150	r	(p-90882)
451.155	r	(p-90882)
451.160	r	(p-90882)
451.165	r	(p-90882)
451.170	r	(p-90882)
451.175	r	(p-90882)
451.185	r	(p-90882)
451.180	r	(p-90882)
451.190	r	(p-90882)
451.195	r	(p-90882)
451.200	n	(p-91333)
451.210	r	(p-90882)
451.210	n	(p-91333)
451.220	n	(p-90882)
451.220	r	(p-91333)
451.230	n	(p-90882)
451.235	n	(p-91333)
451.240	n	(p-90882)
451.240	n	(p-91333)
451.250	n	(p-90882)
451.250	n	(p-91333)
451.260	n	(p-90882)
451.260	n	(p-91333)
451.270	r	(p-90882)
451.270	n	(p-91333)
451.280	n	(p-91333)
451.290	n	(p-91333)
451.300	n	(p-91333)
451.310	n	(p-90882)
451.320	r	(p-90882)
451.330	r	(p-90882)
451.340	r	(p-90882)
451.350	r	(p-90882)
451.360	r	(p-90882)
451.370	r	(p-90882)
451.380	r	(p-90882)
451.390	r	(p-90882)
451.400	n	(p-91333)
451.410	n	(p-91333)
451.410	r	(p-90882)
451.420	r	(p-90882)
451.420	n	(p-91333)
451.430	r	(p-90882)
451.430	n	(p-91333)
451.440	r	(p-90882)

[illegible]

TITLE 23 (CONT'D)			TITLE 24			TITLE 25			TITLE 26			TITLE 27			TITLE 28			TITLE 29			TITLE 30			TITLE 31			TITLE 32																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
3300.60	n	(P-1)	3300.70	n	(P-1)	3300.80	n	(P-1)	3300.90	n	(P-1)	3301.00	n	(P-1)	3301.10	n	(P-1)	3301.20	n	(P-1)	3301.30	n	(P-1)	3301.40	n	(P-1)	3301.50	n	(P-1)	3301.60	n	(P-1)	3301.70	n	(P-1)	3301.80	n	(P-1)	3301.90	n	(P-1)	3302.00	n	(P-1)	3302.10	n	(P-1)	3302.20	n	(P-1)	3302.30	n	(P-1)	3302.40	n	(P-1)	3302.50	n	(P-1)	3302.60	n	(P-1)	3302.70	n	(P-1)	3302.80	n	(P-1)	3302.90	n	(P-1)	3303.00	n	(P-1)	3303.10	n	(P-1)	3303.20	n	(P-1)	3303.30	n	(P-1)	3303.40	n	(P-1)	3303.50	n	(P-1)	3303.60	n	(P-1)	3303.70	n	(P-1)	3303.80	n	(P-1)	3303.90	n	(P-1)	3304.00	n	(P-1)	3304.10	n	(P-1)	3304.20	n	(P-1)	3304.30	n	(P-1)	3304.40	n	(P-1)	3304.50	n	(P-1)	3304.60	n	(P-1)	3304.70	n	(P-1)	3304.80	n	(P-1)	3304.90	n	(P-1)	3305.00	n	(P-1)	3305.10	n	(P-1)	3305.20	n	(P-1)	3305.30	n	(P-1)	3305.40	n	(P-1)	3305.50	n	(P-1)	3305.60	n	(P-1)	3305.70	n	(P-1)	3305.80	n	(P-1)	3305.90	n	(P-1)	3306.00	n	(P-1)	3306.10	n	(P-1)	3306.20	n	(P-1)	3306.30	n	(P-1)	3306.40	n	(P-1)	3306.50	n	(P-1)	3306.60	n	(P-1)	3306.70	n	(P-1)	3306.80	n	(P-1)	3306.90	n	(P-1)	3307.00	n	(P-1)	3307.10	n	(P-1)	3307.20	n	(P-1)	3307.30	n	(P-1)	3307.40	n	(P-1)	3307.50	n	(P-1)	3307.60	n	(P-1)	3307.70	n	(P-1)	3307.80	n	(P-1)	3307.90	n	(P-1)	3308.00	n	(P-1)	3308.10	n	(P-1)	3308.20	n	(P-1)	3308.30	n	(P-1)	3308.40	n	(P-1)	3308.50	n	(P-1)	3308.60	n	(P-1)	3308.70	n	(P-1)	3308.80	n	(P-1)	3308.90	n	(P-1)	3309.00	n	(P-1)	3309.10	n	(P-1)	3309.20	n	(P-1)	3309.30	n	(P-1)	3309.40	n	(P-1)	3309.50	n	(P-1)	3309.60	n	(P-1)	3309.70	n	(P-1)	3309.80	n	(P-1)	3309.90	n	(P-1)	3310.00	n	(P-1)	3310.10	n	(P-1)	3310.20	n	(P-1)	3310.30	n	(P-1)	3310.40	n	(P-1)	3310.50	n	(P-1)	3310.60	n	(P-1)	3310.70	n	(P-1)	3310.80	n	(P-1)	3310.90	n	(P-1)	3311.00	n	(P-1)	3311.10	n	(P-1)	3311.20	n	(P-1)	3311.30	n	(P-1)	3311.40	n	(P-1)	3311.50	n	(P-1)	3311.60	n	(P-1)	3311.70	n	(P-1)	3311.80	n	(P-1)	3311.90	n	(P-1)	3312.00	n	(P-1)	3312.10	n	(P-1)	3312.20	n	(P-1)	3312.30	n	(P-1)	3312.40	n	(P-1)	3312.50	n	(P-1)	3312.60	n	(P-1)	3312.70	n	(P-1)	3312.80	n	(P-1)	3312.90	n	(P-1)	3313.00	n	(P-1)	3313.10	n	(P-1)	3313.20	n	(P-1)	3313.30	n	(P-1)	3313.40	n	(P-1)	3313.50	n	(P-1)	3313.60	n	(P-1)	3313.70	n	(P-1)	3313.80	n	(P-1)	3313.90	n	(P-1)	3314.00	n	(P-1)	3314.10	n	(P-1)	3314.20	n	(P-1)	3314.30	n	(P-1)	3314.40	n	(P-1)	3314.50	n	(P-1)	3314.60	n	(P-1)	3314.70	n	(P-1)	3314.80	n	(P-1)	3314.90	n	(P-1)	3315.00	n	(P-1)	3315.10	n	(P-1)	3315.20	n	(P-1)	3315.30	n	(P-1)	3315.40	n	(P-1)	3315.50	n	(P-1)	3315.60	n	(P-1)	3315.70	n	(P-1)	3315.80	n	(P-1)	3315.90	n	(P-1)	3316.00	n	(P-1)	3316.10	n	(P-1)	3316.20	n	(P-1)	3316.30	n	(P-1)	3316.40	n	(P-1)	3316.50	n	(P-1)	3316.60	n	(P-1)	3316.70	n	(P-1)	3316.80	n	(P-1)	3316.90	n	(P-1)	3317.00	n	(P-1)	3317.10	n	(P-1)	3317.20	n	(P-1)	3317.30	n	(P-1)	3317.40	n	(P-1)	3317.50	n	(P-1)	3317.60	n	(P-1)	3317.70	n	(P-1)	3317.80	n	(P-1)	3317.90	n	(P-1)	3318.00	n	(P-1)	3318.10	n	(P-1)	3318.20	n	(P-1)	3318.30	n	(P-1)	3318.40	n	(P-1)	3318.50	n	(P-1)	3318.60	n	(P-1)	3318.70	n	(P-1)	3318.80	n	(P-1)	3318.90	n	(P-1)	3319.00	n	(P-1)	3319.10	n	(P-1)	3319.20	n	(P-1)	3319.30	n	(P-1)	3319.40	n	(P-1)	3319.50	n	(P-1)	3319.60	n	(P-1)	3319.70	n	(P-1)	3319.80	n	(P-1)	3319.90	n	(P-1)	3320.00	n	(P-1)	3320.10	n	(P-1)	3320.20	n	(P-1)	3320.30	n	(P-1)	3320.40	n	(P-1)	3320.50	n	(P-1)	3320.60	n	(P-1)	3320.70	n	(P-1)	3320.80	n	(P-1)	3320.90	n	(P-1)	3321.00	n	(P-1)	3321.10	n	(P-1)	3321.20	n	(P-1)	3321.30	n	(P-1)	3321.40	n	(P-1)	3321.50	n	(P-1)	3321.60	n	(P-1)	3321.70	n	(P-1)	3321.80	n	(P-1)	3321.90	n	(P-1)	3322.00	n	(P-1)	3322.10	n	(P-1)	3322.20	n	(P-1)	3322.30	n	(P-1)	3322.40	n	(P-1)	3322.50	n	(P-1)	3322.60	n	(P-1)	3322.70	n	(P-1)	3322.80	n	(P-1)	3322.90	n	(P-1)	3323.00	n	(P-1)	3323.10	n	(P-1)	3323.20	n	(P-1)	3323.30	n	(P-1)	3323.40	n	(P-1)	3323.50	n	(P-1)	3323.60	n	(P-1)	3323.70	n	(P-1)	3323.80	n	(P-1)	3323.90	n	(P-1)	3324.00	n	(P-1)	3324.10	n	(P-1)	3324.20	n	(P-1)	3324.30	n	(P-1)	3324.40	n	(P-1)	3324.50	n	(P-1)	3324.60	n	(P-1)	3324.70	n	(P-1)	3324.80	n	(P-1)	3324.90	n	(P-1)	3325.00	n	(P-1)	3325.10	n	(P-1)	3325.20	n	(P-1)	3325.30	n	(P-1)	3325.40	n	(P-1)	3325.50	n	(P-1)	3325.60	n	(P-1)	3325.70	n	(P-1)	3325.80	n	(P-1)	3325.90	n	(P-1)	3326.00	n	(P-1)	3326.10	n	(P-1)	3326.20	n	(P-1)	3326.30	n	(P-1)	3326.40	n	(P-1)	3326.50	n	(P-1)	3326.60	n	(P-1)	3326.70	n	(P-1)	3326.80	n	(P-1)	3326.90	n	(P-1)	3327.00	n	(P-1)	3327.10	n	(P-1)	3327.20	n	(P-1)	3327.30	n	(P-1)	3327.40	n	(P-1)	3327.50	n	(P-1)	3327.60	n	(P-1)	3327.70	n	(P-1)	3327.80	n	(P-1)	3327.90	n	(P-1)	3328.00	n	(P-1)	3328.10	n	(P-1)	3328.20	n	(P-1)	3328.30	n	(P-1)	3328.40	n	(P-1)	3328.50	n	(P-1)	3328.60	n	(P-1)	3328.70	n	(P-1)	3328.80	n	(P-1)	3328.90	n	(P-1)	3329.00	n	(P-1)	3329.10	n	(P-1)	3329.20	n	(P-1)	3329.30	n	(P-1)	3329.40	n	(P-1)	3329.50	n	(P-1)	3329.60	n	(P-1)	3329.70	n	(P-1)	3329.80	n	(P-1)	3329.90	n	(P-1)	3330.00	n	(P-1)	3330.10	n	(P-1)	3330.20	n	(P-1)	3330.30	n	(P-1)	3330.40	n	(P-1)	3330.50	n	(P-1)	3330.60	n	(P-1)	3330.70	n	(P-1)	3330.80	n	(P-1)	3330.90	n	(P-1)	3331.00	n	(P-1)	3331.10	n	(P-1)	3331.20	n	(P-1)	3331.30	n	(P-1)	3331.40	n	(P-1)	3331.50	n	(P-1)	3331.60	n	(P-1)	3331.70	n	(P-1)	3331.80	n	(P-1)	3331.90	n	(P-1)	3332.00	n	(P-1)	3332.10	n	(P-1)	3332.20	n	(P-1)	3332.30	n	(P-1)	3332.40	n	(P-1)	3332.50	n	(P-1)	3332.60	n	(P-1)	3332.70	n	(P-1)	3332.80	n	(P-1)	3332.90	n	(P-1)	3333.00	n	(P-1)	3333.10	n	(P-1)	3333.20	n	(P-1)	3333.30	n	(P-1)	3333.40	n	(P-1)	3333.50	n	(P-1)	3333.60	n	(P-1)	3333.70	n	(P-1)	3333.80	n	(P-1)	3333.90	n	(P-1)	3334.00	n	(P-1)	3334.10	n	(P-1)	3334.20	n	(P-1)	3334.30	n	(P-1)	3334.40	n	(P-1)	3334.50	n	(P-1)	3334.60	n	(P-1)	3334.70	n	(P-1)	3334.80	n	(P-1)	3334.90	n	(P-1)	3335.00	n	(P-1)	3335.10	n	(P-1)	3335.20	n	(P-1)	3335.30	n	(P-1)	3335.40	n	(P-1)	3335.50	n	(P-1)	3335.60	n	(P-1)	3335.70	n	(P-1)	3335.80	n	(P-1)	3335.90	n	(P-1)	3336.00	n	(P-1)	3336.10	n	(P-1)	3336.20	n	(P-1)	3336.30	n	(P-1)	3336.40	n	(P-1)	3336.50	n	(P-1)	3336.60	n	(P-1)	3336.70	n	(P-1)	3336.80	n	(P-1)	3336.90	n	(P-1)	3337.00	n	(P-1)	3337.10	n	(P-1)	3337.20	n	(P-1)	3337.30	n	(P-1)	3337.40	n	(P-1)	3337.50	n	(P-1)	3337.60	n	(P-1)	3337.70	n	(P-1)	3337.80	n	(P-1)	3337.90	n	(P-1)	3338.00	n	(P-1)	3338.10	n	(P-1)	3338.20	n	(P-1)	3338.30	n	(P-1)	3338.40	n	(P-1)	3338.50	n	(P-1)	3338.60	n	(P-1)	3338.70	n	(P-1)	3338.80	n	(P-1)	3338.90	n	(P-1)	3339.00	n	(P-1)	3339.10	n	(P-1)	3339.20	n	(P-1)	3339.30	n	(P-1)	3339.40	n	(P-1)	3339.50	n	(P-1)	3339.60	n	(P-1)	3339.70	n	(P-1)	3339.80	n	(P-1)	3339.90	n	(P-1)	3340.00	n	(P-1)	3340.10	n	(P-1)	3340.20	n	(P-1)	3340.30	n	(P-1)	3340.40	n	(P-1)	3340.50	n	(P-1)	3340.60	n	(P-1)	3340.70	n	(P-1)	3340.80	n	(P-1)	3340.90	n	(P-1)	3341.00	n	(P-1)	3341.10	n	(P-1)	3341.20	n	(P-1)	3341.30	n	(P-1)	3341.40	n	(P-1)	3341.50	n	(P-1)	3341.60	n	(P-1)	3341.70	n	(P-1)	3341.80	n	(P-1)	3341.90	n	(P-1)	3342.00	n	(P-1)	3342.10	n	(P-1)	3342.20	n	(P-1)	3342.30	n	(P-1)	3342.40	n	(P-1)	3342.50	n	(P-1)	3342.60	n	(P-1)	3342.70	n	(P-1)	3342.80	n	(P-1)	3342.90	n	(P-1)	3343.00	n	(P-1)	3343.10	n	(P-1)	3343.20	n	(P-1)	3343.30	n	(P-1)	3343.40	n	(P-1)	3343.50	n	(P-1)	3343.60	n	(P-1)	3343.70	n	(P-1)	3343.80	n	(P-1)	3343.90	n	(P-1)	3344.00	n	(P-1)	3344.10	n	(P-1)	3344.20	n	(P-1)	3344.30	n	(P-1)	3344.40	n	(P-1)	3344.50	n	(P-1)	3344.60	n	(P-1)	3344.70	n	(P-1)	3344.80	n	(P-1)	3344.90	n	(P-1)	3345.00	n	(P-1)	3345.10	n	(P-1)	3345.20	n	(P-1)	3345.30	n	(P-1)	3345.40	n	(P-1)	3345.50	n	(P-1)	3345.60	n	(P-1)	3345.70	n	(P-1)	3345.80	n	(P-1)	3345.90	n	(P-1)	3346.00	n	(P-1)	3346.10	n	(P-1)	3346.20	n	(P-1)	3346.30	n	(P-1)	3346.40	n	(P-1)	3346.50	n	(P-1)	3346.60	n	(P-1)	3346.70	n	(P-1)	3346.80	n	(P-1)	3346.90	n	(P-1)	3347.00	n	(P-1)	3347.10	n	(P-1)	3347.20	n	(P-1)	3347.30	n	(P-1)	3347.40	n	(P-1)	3347.50	n	(P-1)	3347.60	n	(P-1)	3347.70	n	(P-1)	3347.80	n	(P-1)	3347.90	n	(P-1)	3348.00	n	(P-1)	3348.10	n	(P-1)	3348.20	n	(P-1)	3348.30	n	(P-1)	3348.40	n	(P-1)	3348.50	n	(P-1)	3348.60	n	(P-1)	3348.70	n	(P-1)	3348.80	n	(P-1)	3348.90	n	(P-1)	3349.00	n	(P-1)	3349.10	n	(P-1)	3349.20	n	(P-1)	3349.30	n	(P-1)	3349.40	n	(P-1)	3349.50	n	(P-1)	3

TITLE 32 (CONT'D)		TITLE 35	
332.210	n	101.100	n
332.220	n	101.101	r
332.230	n	101.101	r
332.240	n	101.102	r
332.250	n	101.102	r
332.260	n	101.103	r
332.270	n	101.103	r
332.280	n	101.104	r
332.290	n	101.104	n
360.10	am	101.105	r
360.20	am	101.105	r
360.30	am	101.106	r
360.40	am	101.106	r
360.50	am	101.106	r
360.60	am	101.106	r
360.70	am	101.106	r
360.80	am	101.106	r
360.90	am	101.106	r
360.100	am	101.106	r
360.Ap. A	am	101.106	r
360.Tr. A	r	101.106	r
360.Tr. B	am	101.106	r
360.Tr. C	am	101.106	r
401.170	am	101.106	r
410.10	am	101.106	r
410.20	am	101.106	r
410.30	am	101.106	r
410.40	am	101.106	r
410.50	am	101.106	r
410.60	am	101.106	r
410.70	am	101.106	r
410.80	am	101.106	r
410.II. A	n	101.106	r
410.II. B	n	101.106	r
700.10	n	101.106	r
700.20	n	101.106	r
700.30	n	101.106	r
700.40	n	101.106	r
700.50	n	101.106	r
700.60	n	101.106	r
700.70	n	101.106	r

[illegible]

TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
101.107	r	(P-14853/88; A-12092)	101.Ap.B	n	(P-14822/88; A-12055)	201.407	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.470	r	(P-9223)
101.107	r	(P-14822/88; A-12055)	101.Ap.C	n	(P-14822/88; A-12055)	201.408	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.480	r	(P-9223)
101.108	r	(P-14853/88; A-12092)	101.Ap.D	n	(P-14822/88; A-12055)	211.101	am	(P-19296/88; W-2537)	230.490	r	(P-9223)
101.108	n	(P-14822/88; A-12055)	101.Ap.E	n	(P-14822/88; A-12055)	211.102	am	(P-15294/88; A-10862)	230.500	r	(P-9223)
101.109	r	(P-14853/88; A-12092)	101.II.A	n	(P-14822/88; A-12055)	211.122	am	(P-15412/88; A-10893)	230.520	r	(P-9223)
101.109	n	(P-14822/88; A-12055)	101.II.B	n	(P-14853/88; A-12094)	215.104	am	(P-15412/88; A-10893)	230.530	r	(P-9223)
101.110	r	(P-14853/88; A-12092)	106.701	n	(P-14865/88; A-12094)	215.105	am	(P-15412/88; A-10893)	230.540	r	(P-9223)
101.110	n	(P-14822/88; A-12055)	106.702	n	(P-14865/88; A-12094)	215.420	am	(P-15412/88; A-10893)	230.550	r	(P-9223)
101.120	r	(P-14853/88; A-12092)	106.703	n	(P-14865/88; A-12094)	215.430	am	(P-15412/88; A-10893)	230.560	r	(P-9223)
101.120	n	(P-14822/88; O-8135; R-12147; A-12055)	106.704	n	(P-14865/88; A-12094)	215.432	am	(P-15412/88; A-10893)	230.570	r	(P-9223)
101.121	r	(P-14853/88; A-12092)	106.705	n	(P-14865/88; A-12094)	215.435	am	(P-15412/88; A-10893)	230.580	r	(P-9223)
101.121	n	(P-14822/88; A-12055)	106.706	n	(P-14865/88; A-12094)	215.437	am	(P-15412/88; A-10893)	230.590	r	(P-9223)
101.122	r	(P-14853/88; A-12092)	106.707	n	(P-14865/88; A-12094)	215.438	#	(P-15412/88; A-10893)	230.600	r	(P-9223)
101.122	n	(P-14822/88; A-12055)	106.708	n	(P-14865/88; A-12094)	215.439	#	(P-15412/88; A-10893)	230.680	r	(P-9223)
101.140	r	(P-14853/88; A-12092)	106.709	n	(P-14865/88; A-12094)	215.438	#	(P-15412/88; A-10893)	230.690	r	(P-9223)
101.140	n	(P-14822/88; A-12055)	106.710	n	(P-14865/88; A-12094)	215.438	n	(P-15412/88; A-10893)	230.700	r	(P-9223)
101.141	n	(P-14822/88; A-12055)	106.711	n	(P-14865/88; A-12094)	215.439	#	(P-15412/88; A-10893)	230.720	r	(P-9223)
101.141	n	(P-14822/88; A-12055)	106.712	n	(P-14865/88; A-12094)	215.439	am	(P-15412/88; A-10893)	230.730	r	(P-9223)
101.142	n	(P-14822/88; A-12055)	106.713	n	(P-14865/88; A-12094)	215.439	am	(P-15412/88; A-10893)	230.740	r	(P-9223)
101.143	n	(P-14822/88; A-12055)	106.714	n	(P-14865/88; A-12094)	215.Ap.D	am	(P-15412/88; A-10893)	230.770	r	(P-9223)
101.144	n	(P-14822/88; A-12055)	106.715	n	(P-14865/88; A-12094)	230.110	r	(P-9223)	230.780	r	(P-9223)
101.160	n	(P-14822/88; A-12055)	106.801	n	(P-14865/88; A-12094)	230.141	r	(P-9223)	230.790	r	(P-9223)
101.161	n	(P-14822/88; A-12055)	106.802	n	(P-14865/88; A-12094)	230.142	r	(P-9223)	230.Tb. A	r	(P-9223)
101.162	n	(P-14822/88; A-12055)	106.803	n	(P-14865/88; A-12094)	230.150	r	(P-9223)	230.Tb. B	r	(P-9223)
101.180	n	(P-14822/88; A-12055)	106.804	n	(P-14865/88; A-12094)	230.150	r	(P-9223)	230.Ap. A	r	(P-9223)
101.181	n	(P-14822/88; A-12055)	106.805	n	(P-14865/88; A-12094)	230.160	r	(P-9223)	230.Ap. B	r	(P-9223)
101.200	n	(P-14822/88; A-12055)	106.805	n	(P-14865/88; A-12094)	230.170	r	(P-9223)	230.Ap. C	r	(P-9223)
101.200	n	(P-14822/88; A-12055)	106.806	n	(P-14865/88; A-12094)	230.180	r	(P-9223)	230.Ap. C	r	(P-9223)
101.220	n	(P-14822/88; A-12055)	106.806	n	(P-14865/88; A-12094)	230.180	r	(P-9223)	230.Ap. F	r	(P-9223)
101.221	n	(P-14822/88; A-12055)	106.807	n	(P-14865/88; A-12094)	230.190	r	(P-9223)	231.110	r	(P-9212)
101.221	n	(P-14822/88; A-12055)	106.808	n	(P-14865/88; A-12094)	230.200	r	(P-9223)	231.120	r	(P-9212)
101.240	n	(P-14822/88; A-12055)	106.901	n	(P-14865/88; A-12094)	230.210	r	(P-9223)	231.122	r	(P-9212)
101.241	n	(P-14822/88; O-8135; R-12147; A-12055)	106.902	n	(P-14865/88; A-12094)	230.211	r	(P-9223)	231.130	r	(P-9212)
101.242	n	(P-14822/88; A-12055)	106.903	n	(P-14865/88; A-12094)	230.212	r	(P-9223)	231.140	r	(P-9212)
101.243	n	(P-14822/88; O-8135; R-12147; A-12055)	106.904	n	(P-14865/88; A-12094)	230.220	r	(P-9223)	231.150	r	(P-9212)
101.244	n	(P-14822/88; A-12055)	106.905	n	(P-14865/88; A-12094)	230.230	r	(P-9223)	231.160	r	(P-9212)
101.244	n	(P-14822/88; A-12055)	106.906	n	(P-14865/88; A-12094)	230.240	r	(P-9223)	231.180	r	(P-9212)
101.245	n	(P-14822/88; O-8135; R-12147; A-12055)	106.907	n	(P-14865/88; A-12094)	230.241	r	(P-9223)	231.190	r	(P-9212)
101.246	n	(P-14822/88; A-12055)	107.100	r	(P-14933/88; A-12116)	230.250	r	(P-9223)	231.200	r	(P-9212)
101.247	n	(P-14822/88; A-12055)	107.101	r	(P-14933/88; A-12116)	230.260	r	(P-9223)	231.210	r	(P-9212)
101.260	n	(P-14822/88; A-12055)	107.101	r	(P-14933/88; A-12116)	230.270	r	(P-9223)	231.230	r	(P-9212)
101.261	n	(P-14822/88; A-12055)	161.202	r	(P-16343/88; A-9505)	230.280	r	(P-9223)	231.240	r	(P-9212)
101.280	n	(P-14822/88; A-12055)	183.Ap. A	am	(P-7522)	230.290	r	(P-9223)	231.250	r	(P-9212)
101.281	n	(P-14822/88; A-12055)	190.Ap. A	am	(P-7561)	230.300	r	(P-9223)	231.260	r	(P-9212)
101.300	n	(P-14822/88; A-12055)	201.281	am	(P-5154/88; O-29221/88; R-1624; A-2066)	230.310	r	(P-9223)	231.320	r	(P-9212)
101.301	n	(P-14822/88; A-12055)	201.401	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.320	r	(P-9223)	231.330	r	(P-9212)
101.302	n	(P-14822/88; A-12055)	201.402	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.330	r	(P-9223)	231.340	r	(P-9212)
101.303	n	(P-14822/88; A-12055)	201.403	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.340	r	(P-9223)	231.Tb. A	r	(P-9212)
101.304	n	(P-14822/88; A-12055)	201.404	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.350	r	(P-9223)	231.Ap. A	r	(P-9212)
101.Ap.A	n	(P-14853/88; A-12092)	201.405	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.360	r	(P-9223)	231.Ap. B	r	(P-9212)
101.II.A	n	(P-14822/88; A-12055)	201.406	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.370	r	(P-9223)	231.Ap. C	r	(P-9212)
101.II.B	n	(P-14822/88; A-12055)	201.407	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.380	r	(P-9223)	231.108	am	(P-19290/88; W-2536)
101.II.C	n	(P-14822/88; A-12055)	201.408	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.390	r	(P-9223)	243.120	n	(P-19290/88; W-2536)
101.II.D	n	(P-14822/88; A-12055)	201.409	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.400	r	(P-9223)	251.103	am	(E-955) (P-19825/88; A-8867)
101.II.E	n	(P-14822/88; A-12055)	201.405	am	(P-8782)	230.410	r	(P-9223)	251.103	am	(E-955) (P-19825/88; A-8867)
101.II.F	n	(P-14822/88; A-12055)	201.406	n	(P-5154/88; O-29221/88; R-1624; A-2066)	230.430	r	(P-9223)	251.202	n	(E-955) (P-19825/88; A-8867)
101.II.H	n	(P-14822/88; A-12055)				230.440	r	(P-9223)	251.203	am	(E-955) (P-19825/88; A-8867)
									251.208	am	(E-955) (P-19825/88; A-8867)
									251.210	am	(E-955) (P-19825/88; A-8867)

TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
251.212	r	(E-955) (P-19825/88; A-8867)	283.506	r	(P-16365/88; A-9501)	307.4004	am	(P-16396/88; A-1794)	365.401	n	(P-18030/88; A-7351)
251.215	am	(E-955) (P-19825/88; A-8867)	283.601	r	(P-16365/88; A-9501)	307.7700	am	(P-9471)	365.402	n	(P-18030/88; A-7351)
251.301	am	(E-955) (P-19825/88; A-8867)	283.602	r	(P-16365/88; A-9501)	307.7701	am	(P-9471)	365.403	n	(P-18030/88; A-7351)
260.101	r	(P-16365/88; A-9503)	283.603	r	(P-16365/88; A-9501)	307.7702	am	(P-9471)	365.404	n	(P-18030/88; A-7351)
260.102	r	(P-16365/88; A-9503)	283.604	r	(P-16365/88; A-9501)	307.7703	am	(P-9471)	365.405	n	(P-18030/88; A-7351)
260.201	r	(P-16365/88; A-9503)	283.605	r	(P-16365/88; A-9501)	307.7704	am	(P-9471)	365.406	n	(P-18030/88; A-7351)
260.202	r	(P-16365/88; A-9503)	283.606	r	(P-16365/88; A-9501)	307.7705	am	(P-9471)	365.501	n	(P-18030/88; A-7351)
260.203	r	(P-16365/88; A-9503)	283.701	r	(P-16365/88; A-9501)	307.7706	am	(P-9471)	365.502	n	(P-18030/88; A-7351)
260.204	r	(P-16365/88; A-9503)	283.702	r	(P-16365/88; A-9501)	307.8100	am	(P-16396/88; A-1794)	365.503	n	(P-18030/88; A-7351)
260.205	r	(P-16365/88; A-9503)	283.703	r	(P-16365/88; A-9501)	309.281	am	(P-15893/88; A-5993)	365.504	n	(P-18030/88; A-7351)
260.206	r	(P-16365/88; A-9503)	283.704	r	(P-16365/88; A-9501)	310.107	am	(P-16384/88; A-2463) (P-9426)	365.505	n	(P-18030/88; A-7351)
263.101	r	(P-16352/88; A-9515)	285.101	r	(P-16365/88; A-9517)	310.110	am	(P-16384/88; A-2463) (P-9426)	365.506	n	(P-18030/88; A-7351)
263.102	r	(P-16352/88; A-9515)	285.102	r	(P-16365/88; A-9517)	310.111	n	(P-9426)	365.601	n	(P-18030/88; A-7351)
263.103	r	(P-16352/88; A-9515)	285.103	r	(P-16365/88; A-9517)	310.221	am	(P-9426)	365.602	n	(P-18030/88; A-7351)
263.201	r	(P-16352/88; A-9515)	285.104	r	(P-16365/88; A-9517)	310.222	am	(P-9426)	365.603	n	(P-18030/88; A-7351)
263.202	r	(P-16352/88; A-9515)	285.201	r	(P-16365/88; A-9517)	310.230	am	(P-9426)	365.604	n	(P-18030/88; A-7351)
263.301	r	(P-16352/88; A-9515)	285.202	r	(P-16365/88; A-9517)	310.232	am	(P-9426)	365.605	n	(P-18030/88; A-7351)
263.303	r	(P-16352/88; A-9515)	285.203	r	(P-16365/88; A-9517)	310.233	am	(P-9426)	365.606	n	(P-18030/88; A-7351)
263.304	r	(P-16352/88; A-9515)	285.204	r	(P-16365/88; A-9517)	310.502	am	(P-9426)	365.607	n	(P-18030/88; A-7351)
263.305	r	(P-16352/88; A-9515)	285.205	r	(P-16365/88; A-9517)	310.510	am	(P-9426)	365.701	n	(P-18030/88; A-7351)
263.306	r	(P-16352/88; A-9515)	285.206	r	(P-16365/88; A-9517)	310.522	am	(P-9426)	365.702	n	(P-18030/88; A-7351)
263.307	r	(P-16352/88; A-9515)	285.301	r	(P-16365/88; A-9517)	310.531	am	(P-9426)	365.703	n	(P-18030/88; A-7351)
263.308	r	(P-16352/88; A-9515)	285.302	r	(P-16365/88; A-9517)	310.542	am	(P-9426)	365.704	n	(P-18030/88; A-7351)
263.309	r	(P-16352/88; A-9515)	301.200	am	(P-15823/88; A-5984)	310.602	am	(P-9426)	365.705	n	(P-18030/88; A-7351)
263.401	r	(P-16352/88; A-9515)	301.260	am	(P-15823/88; A-5984)	310.604	am	(P-9426)	365.706	n	(P-18030/88; A-7351)
263.402	r	(P-16352/88; A-9515)	301.365	am	(P-15823/88; A-5984)	310.605	am	(P-9426)	365.707	n	(P-18030/88; A-7351)
263.501	r	(P-16352/88; A-9515)	301.430	am	(P-15823/88; A-5984)	310.606	am	(P-9426)	365.801	n	(P-18030/88; A-7351)
277.101	r	(P-16346/88; A-9513)	302.211	am	(P-15844/88; A-5998)	310.610	am	(P-9426)	365.802	n	(P-18030/88; A-7351)
277.102	r	(P-16346/88; A-9513)	302.304	am	(P-15844/88; A-5998)	310.611	n	(P-9426)	365.901	n	(P-18030/88; A-7351)
277.103	r	(P-16346/88; A-9513)	302.504	am	(P-15844/88; A-5998)	310.612	n	(P-9426)	365.902	n	(P-18030/88; A-7351)
277.201	r	(P-16346/88; A-9513)	302.507	am	(P-15844/88; A-5998)	310.613	n	(P-9426)	365.903	n	(P-18030/88; A-7351)
277.202	r	(P-16346/88; A-9513)	302.509	am	(P-15844/88; A-5998)	310.621	am	(P-9426)	365.904	n	(P-18030/88; A-7351)
277.301	r	(P-16346/88; A-9513)	303.323	n	(P-7863)	310.631	am	(P-9426)	365.905	n	(P-18030/88; A-7351)
277.302	r	(P-16346/88; A-9513)	304.104	am	(P-15815/88; A-5976)	310.632	am	(P-9426)	365.1001	n	(P-18030/88; A-7351)
277.401	r	(P-16346/88; A-9513)	304.120	am	(P-18092/88; A-7754)	310.633	am	(P-9426)	365.1002	n	(P-18030/88; A-7351)
277.402	r	(P-16346/88; A-9513)	304.123	am	(P-9204)	310.634	am	(P-9426)	365.1003	n	(P-18030/88; A-7351)
283.101	r	(P-16365/88; A-9501)	304.124	am	(P-15815/88; A-5976)	310.801	am	(P-9426)	365.1101	n	(P-18030/88; A-7351)
283.102	r	(P-16365/88; A-9501)	304.140	r	(P-15815/88; A-5976)	310.903	am	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.103	r	(P-16365/88; A-9501)	304.217	n	(P-9421)	310.910	am	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.201	r	(P-16365/88; A-9501)	304.218	n	(P-9656)	310.912	am	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.202	r	(P-16365/88; A-9501)	304.220	n	(P-11397/88; A-2060)	310.913	am	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.203	r	(P-16365/88; A-9501)	304.301	am	(P-14509/88; A-8880)	310.920	am	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.204	r	(P-16365/88; A-9501)	304.302	n	(P-11669/88; A-851)	310.921	n	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.301	r	(P-16365/88; A-9501)	305.102	am	(P-15839/88; A-5989)	310.922	n	(P-9426)	365.1102	n	(P-18030/88; A-7351)
283.302	r	(P-16365/88; A-9501)	307.1102	am	(P-7530)	365.101	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.303	r	(P-16365/88; A-9501)	307.1508	am	(P-16396/88; A-1794)	365.102	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.401	r	(P-16365/88; A-9501)	307.1704	am	(P-16396/88; A-1794)	365.103	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.402	r	(P-16365/88; A-9501)	307.2101	am	(P-16396/88; A-1794)	365.104	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.403	r	(P-16365/88; A-9501)	307.2903	am	(P-16396/88; A-1794)	365.201	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.404	r	(P-16365/88; A-9501)	307.3110	am	(P-16396/88; A-1794)	365.202	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.405	r	(P-16365/88; A-9501)	307.3129	am	(P-16396/88; A-1794)	365.203	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.501	r	(P-16365/88; A-9501)	307.3500	am	(P-16396/88; A-1794)	365.204	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.502	r	(P-16365/88; A-9501)	307.3501	am	(P-16396/88; A-1794)	365.301	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.503	r	(P-16365/88; A-9501)	307.3503	am	(P-16396/88; A-1794)	365.302	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.504	r	(P-16365/88; A-9501)	307.3509	am	(P-16396/88; A-1794)	365.303	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)
283.505	r	(P-16365/88; A-9501)	307.3590	n	(P-16396/88; A-1794)	365.304	n	(P-18030/88; A-7351)	365.1102	n	(P-18030/88; A-7351)

TITLE 38 (CONT'D)

400.1030 am (P-1985; A-8927)
400.1060 am (P-1985; A-8927)
400.1110 am (P-1985; A-8927)
400.1120 am (P-1985; A-8927)
400.1140 r (P-1985; A-8927)
400.1150 am (P-1985; A-8927)
400.1550 am (P-1985; A-8927)
400.2010 am (P-1985; A-8927)
400.2055 n (P-1985; A-8927)
400.2500 am (P-1985; A-8927)
400.2510 am (P-1985; A-8927)
400.2520 am (P-1985; A-8927)
400.2700 n (P-1985; A-8927)
400.2710 n (P-1985; A-8927)

TITLE 41

100.110 n (E-582) (P-1323)
170.10 am (P-1756) (E-1886)
170.71 n (P-1756) (E-1886)
170.72 n (P-1756) (E-1886)
170.73 n (P-1756) (E-1886)
170.75 am (P-1756) (E-1886)
170.75 # (A-5669)
170.106 n (P-1756) (E-1886)
170.107 n (P-1756) (E-1886)
170.108 n (P-1756) (E-1886)
170.400 n (A-5669)
170.410 n (A-5669)
170.420 n (A-5669)
170.430 n (A-5669)
170.440 n (A-5669)
170.450 n (A-5669)
170.460 n (A-5669)
170.470 n (A-5669)
170.480 n (A-5669)
170.490 n (A-5669)
170.500 n (A-5669)
170.510 n (A-5669)
170.520 n (A-5669)
170.530 n (A-5669)
170.530 am (A-7744)
170.540 n (A-5669)
170.550 n (A-5669)
170.560 n (A-5669)
170.570 n (A-5669)
170.580 n (A-5669)
170.590 n (A-5669)
170.600 n (A-5669)
170.610 n (A-5669) (A-8875)
170.620 n (A-5669)
170.630 n (A-5669)
170.640 n (A-5669)
170.650 n (A-5669)
170.660 n (A-5669)
170.670 # (A-5669)
170.670 am (A-5669)
170.670 am (A-5669)
170.670 am (A-5669)

TITLE 44 (CONT'D)

530.60 n (P-2648)
530.70 # (P-2648)
530.70' am (P-2648)
530.100 am (P-2648)
530.110 am (P-2648)
530.110 am (P-2648)
530.200 # (P-2648)
530.300 am (P-2648)
530.310 r (P-2648)
530.320 am (P-2648)
530.330 am (P-2648)
530.340 am (P-2648)
530.350 am (P-2648)
530.400 am (P-2648)
530.410 am (P-2648)
530.500 am (P-2648)
530.510 am (P-2648)
530.520 am (P-2648)
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530.540 am (P-2648)
530.600 am (P-2648)
530.610 am (P-2648)
530.620 am (P-2648)
530.630 am (P-2648)
530.640 am (P-2648)
530.650 am (P-2648)
530.660 am (P-2648)
530.670 am (P-2648)
530.700 am (P-2648)
530.710 am (P-2648)
530.720 am (P-2648)
535.5 r (P-2766)
535.5 am (P-2766)
535.20 am (P-2766)
535.50 n (P-2766)
535.60 n (P-2766)
535.70 # (P-2766)
535.70 am (P-2766)
535.100 am (P-2766)
535.110 am (P-2766)
535.200 # (P-2766)
535.300 am (P-2766)
535.310 r (P-2766)
535.320 am (P-2766)
535.330 am (P-2766)
535.340 am (P-2766)
535.350 am (P-2766)
535.400 am (P-2766)
535.410 am (P-2766)
535.500 am (P-2766)
535.510 am (P-2766)
535.520 am (P-2766)
535.530 am (P-2766)
535.540 n (P-2766)
535.600 am (P-2766)
535.610 am (P-2766)
535.620 am (P-2766)

TITLE 44 (CONT'D)

535.630 am (P-2766)
535.640 am (P-2766)
535.650 am (P-2766)
535.660 am (P-2766)
535.670 am (P-2766)
535.700 am (P-2766)
535.710 am (P-2766)
535.720 am (P-2766)
540.5 r (P-2764)
540.10 am (P-2764)
540.20 am (P-2764)
540.50 n (P-2764)
540.60 n (P-2764)
540.70 # (P-2764)
540.70 am (P-2764)
540.100 am (P-2764)
540.110 am (P-2764)
540.200 # (P-2764)
540.300 am (P-2764)
540.310 r (P-2764)
540.320 am (P-2764)
540.330 am (P-2764)
540.340 am (P-2764)
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540.400 am (P-2764)
540.410 am (P-2764)
540.500 am (P-2764)
540.510 am (P-2764)
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540.530 am (P-2764)
540.540 n (P-2764)
540.600 am (P-2764)
540.610 am (P-2764)
540.620 am (P-2764)
540.630 am (P-2764)
540.640 am (P-2764)
540.650 am (P-2764)
540.660 am (P-2764)
540.670 am (P-2764)
540.700 am (P-2764)
540.710 am (P-2764)
540.720 am (P-2764)
910.130 am (P-1917; A-8403)
4400.25 n (P-44; A-7444)
4400.Ap. A n (P-44; A-7444)
4400.Ap. B n (P-44; A-7444)
4400.Ap. C n (P-44; A-7444)
4400.Ap. D n (P-44; A-7444)
4500.30 am (P-7860; C-10715)
5040.590 r (P-4071)

TITLE 47

1.35 n (P-5002)
1.60 am (P-5002)
1.70 am (P-5002)
1.85 n (P-5002)

TITLE 47 (CONT'D)		TITLE 50 (CONT'D)		TITLE 56 (CONT'D)		TITLE 59 (CONT'D)		TITLE 62		TITLE 68	
1.100	am	(P-5002)	919.10	am	(P-1335/88; C-1745/688; A-1204)	6302.40	am	(P-1526/88; A-3801)	2725.105	am	(P-5344; W-11959) (P-11120)
1.105	n	(P-5002)	919.20	am	(P-1335/88; C-1745/688; A-1204)	6701.10	n	(P-1761/88; A-5951)	2725.120	am	(P-5344; W-11959) (P-11120)
1.110	am	(P-5002)	919.30	am	(P-1335/88; C-1745/688; A-1204)	6701.20	n	(P-1761/88; A-5951)	2725.250	am	(P-5344; W-11959) (P-11120)
1.130	am	(P-5002)	919.40	am	(P-1335/88; C-1745/688; A-1204)	6701.30	n	(P-1761/88; A-5951)	2725.270	am	(P-5344; W-11959) (P-11120)
1.160	n	(P-5002)	919.50	am	(P-1335/88; C-1745/688; A-1204)	6701.Ex. A	n	(P-1761/88; A-5951)	2732.210	n	(P-1945; A-8864)
1.170	n	(P-5002)	919.60	am	(P-1335/88; C-1745/688; A-1204)	TITLE 56		(P-1527/88; W-6819) (P-5839)	2765.205	n	(P-752)
1.175	n	(P-5002)	919.70	am	(P-1335/88; C-1745/688; A-1204)	350.20	am	(P-1527/88; W-6819) (P-5839)	2765.325	n	(P-5375; W-11961) (P-11155)
1.180	n	(P-5002)	919.80	am	(P-1335/88; C-1745/688; A-1204)	350.280	am	(P-1527/88; W-6819) (P-5839)	2765.326	n	(P-11155) (E-11911)
1.185	n	(P-5002)	919.90	am	(P-1335/88; C-1745/688; A-1204)	350.300	n	(P-1527/88; W-6819) (P-5839)	2765.328	n	(P-5375; W-11961) (P-11155)
1.190	n	(P-5002)	919.Ex. A	n	(P-1335/88; C-1745/688; A-1204)	350.310	n	(P-1527/88; W-6819) (P-5839)	2765.330	n	(P-5375; W-11961) (P-11155)
1.195	n	(P-5002)	2008.10	am	(P-251; A-8520) (E-386; O-3471)	350.320	n	(P-1527/88; W-6819) (P-5839)	2765.332	n	(P-5375; W-11961) (P-11155)
100.70	am	(P-1930; A-10827)	2008.20	am	(P-251; A-8520) (E-386; O-3471)	350.330	n	(P-1527/88; W-6819) (P-5839)	2765.333	n	(P-5375; W-11961) (P-11155)
100.85	am	(P-1930; A-10827)	2008.30	am	(P-251; A-8520) (E-386; O-3471)	350.340	n	(P-1527/88; W-6819) (P-5839)	2765.334	n	(P-5375; W-11961) (P-11155)
100.90	am	(P-1930; A-10827)	2008.40	am	(P-251; A-8520) (E-386; O-3471)	350.350	n	(P-1527/88; W-6819) (P-5839)	2765.335	n	(P-5375; W-11961) (P-11155)
100.110	am	(P-1930; A-10827)	2008.50	am	(P-251; A-8520) (E-386; O-3471)	350.360	n	(P-1527/88; W-6819) (P-5839)	2770.105	am	(P-743; A-11507)
100.120	am	(P-1930; A-10827)	2008.60	am	(P-251; A-8520) (E-386; O-3471)	350.370	n	(P-1527/88; W-6819) (P-5839)	2905.1	am	(P-2229; A-11502)
120.80	am	(P-1311)	2008.70	am	(P-251; A-8520) (E-386; O-3471)	350.380	n	(P-1527/88; W-6819) (P-5839)	2905.15	am	(P-2229; A-11502)
120.100	am	(P-1311)	2008.80	am	(P-251; A-8520) (E-386; O-3471)	350.390	n	(P-1527/88; W-6819) (P-5839)	2905.25	r	(P-2229; A-11502)
120.110	am	(P-8521/88; A-779)	2008.90	am	(P-251; A-8520) (E-386; O-3471)	350.400	n	(P-1527/88; W-6819) (P-5839)	2905.40	am	(P-2229; A-11502)
120.115	n	(P-8521/88; A-779)	2008.10	am	(P-251; A-8520) (E-386; O-3471)	350.410	n	(P-1527/88; W-6819) (P-5839)	2920.65	r	(P-11153) (E-11899)
120.115	am	(P-4075)	2008.20	am	(P-251; A-8520) (E-386; O-3471)	350.420	n	(P-1527/88; W-6819) (P-5839)	2920.68	r	(P-11153) (E-11899)
160.80	am	(P-9271/88; A-2024)	2008.30	am	(P-251; A-8520) (E-386; O-3471)	350.430	n	(P-1527/88; W-6819) (P-5839)	2920.70	r	(P-11153) (E-11899)
350.202	am	(P-1526/88; A-5947)	2008.40	am	(P-251; A-8520) (E-386; O-3471)	350.440	n	(P-1527/88; W-6819) (P-5839)	2920.75	r	(P-11153) (E-11899)
360.103	n	(P-1960/88; O-8131)	2008.50	am	(P-251; A-8520) (E-386; O-3471)	350.450	n	(P-1527/88; W-6819) (P-5839)	2960.105	am	(P-17; A-5940)
360.104	n	(P-1960/88; O-8131)	2008.60	am	(P-251; A-8520) (E-386; O-3471)	2090.105	am	(P-17)	6000.10	am	(P-7845) (E-8025)
360.302	n	(P-1960/88; O-8131)	2008.70	am	(P-251; A-8520) (E-386; O-3471)	2600.20	am	(P-3515) (E-4028) (P-4331)	6000.310	n	(P-7845) (E-8025)
360.305	n	(P-1960/88; O-8131)	2008.80	am	(P-251; A-8520) (E-386; O-3471)	2600.30	am	(P-3515) (E-4028)	6000.320	n	(P-7845) (E-8025)
360.306	n	(P-1960/88; O-8131)	2008.90	am	(P-251; A-8520) (E-386; O-3471)	2610.60	am	(P-5017)	TITLE 59		(P-1808/88; A-3821)
360.309	n	(P-1960/88; O-8131)	2011.10	n	(P-251; A-8520) (E-386; O-3471)	2610.100	am	(P-4366)	106.15	am	(P-8208)
TITLE 50			2011.20	n	(P-1355/88; A-3804)	2610.130	am	(P-4366)	112.20	n	(P-8208)
201.20	am	(P-2909)	2011.30	n	(P-1355/88; A-3804)	2610.160	am	(P-5017)	112.30	n	(P-8208)
201.30	am	(P-2909)	2011.40	n	(P-1355/88; A-3804)	2610.190	am	(P-5017)	TITLE 62		(P-23; A-5955)
201.50	am	(P-2909)	2011.50	n	(P-1355/88; A-3804)	2625.20	n	(P-3513) (E-4019)	220.10	am	(P-23; A-5955)
201.60	am	(P-2909)	2011.60	n	(P-1355/88; A-3804)	2625.30	n	(P-3513) (E-4019)	220.80	am	(P-756)
301.30	am	(P-2901)	2011.70	n	(P-1355/88; A-3804)	2625.40	n	(P-3513) (E-4019)	220.160	am	
301.60	am	(P-2901)	2011.80	n	(P-1355/88; A-3804)	2625.50	n	(P-3513) (E-4019)	TITLE 68		(P-19795/88; A-3665)
301.70	am	(P-2901)	2011.90	n	(P-1355/88; A-3804)	2712.201	n	(P-15257/88; O-22482/88; R-965; A-795)	600.10	am	(P-19795/88; A-3665)
401.30	am	(P-2905)	2012.10	n	(P-1355/88; A-3804)	2712.202	n	(P-15257/88; O-22482/88; R-965; A-795)	600.30	am	(P-19795/88; A-3665)
401.60	am	(P-2905)	2012.20	n	(P-1355/88; A-3804)	2712.203	n	(P-15257/88; O-22482/88; R-965; A-795)	600.60	am	(P-19795/88; A-3665)
601.10	n	(P-1198/88; A-2051)	2012.30	n	(P-1355/88; A-3804)	2712.205	n	(P-15257/88; O-22482/88; R-965; A-795)	600.80	am	(P-19795/88; A-3665)
601.20	n	(P-1198/88; A-2051)	2012.40	n	(P-1355/88; A-3804)	2712.207	n	(P-15257/88; O-22482/88; R-965; A-795)	600.90	am	(P-19795/88; A-3665)
601.30	n	(P-1198/88; A-2051)	2012.50	n	(P-1355/88; A-3804)	2712.210	n	(P-15257/88; O-22482/88; R-965; A-795)	TITLE 68		(P-19795/88; A-3665)
601.40	n	(P-1198/88; A-2051)	2012.60	n	(P-1355/88; A-3804)	2712.211	n	(P-15257/88; O-22482/88; R-965; A-795)	600.10	am	(P-19795/88; A-3665)
601.50	n	(P-1198/88; A-2051)	2012.70	n	(P-1355/88; A-3804)	2712.212	n	(P-15257/88; O-22482/88; R-965; A-795)	600.30	am	(P-19795/88; A-3665)
601.60	n	(P-1198/88; A-2051)	2012.80	n	(P-1355/88; A-3804)	2712.213	n	(P-15257/88; O-22482/88; R-965; A-795)	600.60	am	(P-19795/88; A-3665)
601.70	n	(P-1198/88; A-2051)	2012.90	n	(P-1355/88; A-3804)	2712.214	n	(P-15257/88; O-22482/88; R-965; A-795)	600.80	am	(P-19795/88; A-3665)
601.80	n	(P-1198/88; A-2051)	2013.00	n	(P-1355/88; A-3804)	2712.215	n	(P-15257/88; O-22482/88; R-965; A-795)	600.90	am	(P-19795/88; A-3665)
601.90	n	(P-1198/88; A-2051)	2013.10	n	(P-1355/88; A-3804)	2712.216	n	(P-15257/88; O-22482/88; R-965; A-795)	TITLE 68		(P-19795/88; A-3665)
601.100	n	(P-1198/88; A-2051)	2013.20	n	(P-1355/88; A-3804)	2712.217	n	(P-15257/88; O-22482/88; R-965; A-795)	600.10	am	(P-19795/88; A-3665)
601.110	n	(P-1198/88; A-2051)	2013.30	n	(P-1355/88; A-3804)	2712.218	n	(P-15257/88; O-22482/88; R-965; A-795)	600.30	am	(P-19795/88; A-3665)
601.120	n	(P-1198/88; A-2051)	2013.40	n	(P-1355/88; A-3804)	2712.219	n	(P-15257/88; O-22482/88; R-965; A-795)	600.60	am	(P-19795/88; A-3665)
601.130	n	(P-1198/88; A-2051)	2013.50	n	(P-1355/88; A-3804)	2712.220	n	(P-15257/88; O-22482/88; R-965; A-795)	600.80	am	(P-19795/88; A-3665)
601.140	n	(P-1198/88; A-2051)	2013.60	n	(P-1355/88; A-3804)	2712.221	n	(P-15257/88; O-22482/88; R-965; A-795)	600.90	am	(P-19795/88; A-3665)
754.Ex. B	am	(P-2057/88; A-1542)	2013.70	am	(P-1355/88; A-3804)	2712.222	am	(P-15257/88; O-22482/88; R-965; A-795)	TITLE 68		(P-19795/88; A-3665)

TITLE 68 (CONT'D)			TITLE 68 (CONT'D)			TITLE 68 (CONT'D)			TITLE 68 (CONT'D)		
600.110	n	(P-19795/88; A-3665)	1220.231	am	(P-5867/88; A-4191)	1285.140	n	(P-1587/88; A-483)	1360.10	r	(P-14963/88; A-4234)
600.110	n	(P-19795/88; A-3665)	1220.240	am	(P-5867/88; A-4191)	1285.200	n	(P-15880/88; A-10925)	1360.20	am	(P-14963/88; A-4234)
610.10	am	(P-19205/88; A-3690)	1220.260	am	(P-5867/88; A-4191)	1285.205	n	(P-15880/88; A-10925)	1360.30	am	(P-14963/88; A-4234)
610.20	am	(P-19205/88; A-3690)	1220.340	r	(P-5867/88; A-4191)	1285.210	n	(P-15880/88; A-10925)	1360.40	am	(P-14963/88; A-4234)
610.30	am	(P-19205/88; A-3690)	1220.350	n	(P-5867/88; A-4191)	1285.215	n	(P-15880/88; A-10925)	1360.45	n	(P-14963/88; A-4234)
610.40	am	(P-19205/88; A-3690)	1220.400	r	(P-5867/88; A-4191)	1285.220	n	(P-15880/88; A-10925)	1360.50	am	(P-14963/88; A-4234)
610.60	am	(P-19205/88; A-3690)	1220.410	r	(P-5867/88; A-4191)	1285.225	n	(P-15880/88; A-10925)	1360.55	am	(P-14963/88; A-4234)
750.1000	r	(P-6934)	1220.410	n	(P-5867/88; A-4191)	1285.230	n	(P-15880/88; A-10925)	1360.60	am	(P-14963/88; A-4234)
750.1000	n	(P-6949)	1220.421	am	(P-5867/88; A-4191)	1285.235	n	(P-15880/88; A-10925)	1360.65	n	(P-14963/88; A-4234)
750.1010	r	(P-6934)	1220.425	n	(P-5867/88; A-4191)	1285.240	n	(P-15880/88; A-10925)	1360.70	am	(P-14963/88; A-4234)
750.1010	n	(P-6949)	1220.431	am	(P-5867/88; A-4191)	1285.245	n	(P-15880/88; A-10925)	1360.75	n	(P-14963/88; A-4234)
750.2000	r	(P-6934)	1220.435	am	(P-5867/88; A-4191)	1285.250	n	(P-15880/88; A-10925)	1360.80	r	(P-14963/88; A-4234)
750.2000	n	(P-6949)	1220.500	n	(P-5867/88; A-4191)	1285.255	n	(P-15880/88; A-10925)	1360.85	am	(P-14963/88; A-4234)
750.2010	r	(P-6934)	1220.510	n	(P-5867/88; A-4191)	1285.260	n	(P-15880/88; A-10925)	1360.90	am	(P-14963/88; A-4234)
750.2010	n	(P-6949)	1220.520	n	(P-5867/88; A-4191)	1285.265	n	(P-15880/88; A-10925)	1360.95	am	(P-14963/88; A-4234)
750.2020	r	(P-6934)	1220.530	n	(P-5867/88; A-4191)	1285.270	n	(P-15880/88; A-10925)	1360.100	r	(P-14963/88; A-4234)
750.2020	n	(P-6949)	1220.540	n	(P-5867/88; A-4191)	1285.275	n	(P-15880/88; A-10925)	1360.110	r	(P-14963/88; A-4234)
750.2030	r	(P-6934)	1220.550	n	(P-5867/88; A-4191)	1285.310	n	(P-15880/88; A-10925)	1400.10	r	(P-2913)
750.2030	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1285.320	n	(P-15880/88; A-10925)	1400.20	am	(P-2913)
750.2040	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1285.330	n	(P-15880/88; A-10925)	1400.20	am	(P-2519)
750.2040	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1285.330	n	(P-15880/88; A-10925)	1400.30	am	(P-2519)
750.3000	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.110	r	(P-15854/88; A-10923)	1400.30	am	(P-2913)
750.3000	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.120	r	(P-15854/88; A-10923)	1400.40	am	(P-2913)
750.3000	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.130	r	(P-15854/88; A-10923)	1400.40	am	(P-2519)
750.3000	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.140	r	(P-15854/88; A-10923)	1400.50	am	(P-2913)
750.3010	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.150	r	(P-15854/88; A-10923)	1400.60	am	(P-2913)
750.3010	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.160	r	(P-15854/88; A-10923)	1400.65	am	(P-2913)
750.3020	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.170	r	(P-15854/88; A-10923)	1400.70	am	(P-2913)
750.3020	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.180	r	(P-15854/88; A-10923)	1400.80	am	(P-2913)
750.3030	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.190	r	(P-15854/88; A-10923)	1400.90	am	(P-2913)
750.3030	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.200	r	(P-15854/88; A-10923)	1465.10	n	(P-1388) (E-1616)
750.3040	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.210	r	(P-15854/88; A-10923)	1465.20	n	(P-1388) (E-1616)
750.3040	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.220	r	(P-15854/88; A-10923)	1465.30	n	(P-1388) (E-1616)
750.3050	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.230	r	(P-15854/88; A-10923)	1465.40	n	(P-1388) (E-1616)
750.3050	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.240	r	(P-15854/88; A-10923)	1465.50	n	(P-1388) (E-1616)
750.3060	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.250	r	(P-15854/88; A-10923)	1465.60	n	(P-1388) (E-1616)
750.3060	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.260	r	(P-15854/88; A-10923)	1465.70	n	(P-1388) (E-1616)
750.3070	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.270	r	(P-15854/88; A-10923)	1465.80	n	(P-1388) (E-1616)
750.3070	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.280	r	(P-15854/88; A-10923)	1465.90	n	(P-1388) (E-1616)
750.4000	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.290	r	(P-15854/88; A-10923)	1470.5	n	(P-1388) (E-5771)
750.4000	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.300	r	(P-15854/88; A-10923)	1470.6	n	(P-1388) (E-5771)
750.4010	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.310	r	(P-15854/88; A-10923)	1470.7	n	(P-1388) (E-5771)
750.4010	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.320	r	(P-15854/88; A-10923)	1470.10	am	(P-5771)
750.4020	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.330	r	(P-15854/88; A-10923)	1470.20	r	(P-5426)
750.4020	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.340	r	(P-15854/88; A-10923)	1470.30	am	(P-5426)
750.4030	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.350	r	(P-15854/88; A-10923)	1470.40	r	(P-5426)
750.4030	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.360	r	(P-15854/88; A-10923)	1470.50	r	(P-5426)
750.4040	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.370	r	(P-15854/88; A-10923)	1470.60	r	(P-5426)
750.4040	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.380	r	(P-15854/88; A-10923)	1470.70	am	(P-5426)
750.4050	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.390	r	(P-15854/88; A-10923)	1470.80	am	(P-5426)
750.4050	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.400	r	(P-15854/88; A-10923)	1470.90	am	(P-5426)
750.4060	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.410	r	(P-15854/88; A-10923)	1470.100	am	(P-5426)
750.4060	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.420	r	(P-15854/88; A-10923)	1470.200	am	(P-5426)
750.4070	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.430	r	(P-15854/88; A-10923)	1470.300	am	(P-5426)
750.4070	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.440	r	(P-15854/88; A-10923)	1470.400	am	(P-5426)
750.4080	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.450	r	(P-15854/88; A-10923)	1470.500	am	(P-5426)
750.4080	n	(P-6949)	1220.560	n	(P-5867/88; A-4191)	1290.460	r	(P-15854/88; A-10923)	1470.600	am	(P-5426)
750.5000	r	(P-6934)	1220.560	n	(P-5867/88; A-4191)	1290.470	r	(P-15854/88; A-10923)	1470.700	am	(P-5426)
1175.425	am	(E-6810) (P-7185)	1220.570	n	(P-274; A-10613) (E-651)	1290.480	r	(P-15854/88; A-10923)	1470.800	am	(P-5426)
1175.425	n	(E-6810) (P-7185)	1220.580	n	(P-274; A-10613) (E-651)	1290.490	r	(P-15854/88; A-10923)	1470.900	am	(P-5426)
1175.600	am	(E-6810) (P-7185)	1220.590	n	(P-274; A-10613) (E-651)	1290.500	r	(P-15854/88; A-10923)	1470.100	am	(P-5426)
1200.30	am	(P-11993)	1220.600	n	(P-274; A-10613) (E-651)	1290.510	r	(P-15854/88; A-10923)	1470.200	am	(P-5426)
1200.30	am	(P-11993)	1220.610	n	(P-274; A-10613) (E-651)	1290.520	r	(P-15854/88; A-10923)	1470.300	am	(P-5426)
1220.110	am	(P-5867/88; A-4191)	1220.620	n	(P-274; A-10613) (E-651)	1290.530	r	(P-15854/88; A-10923)	1470.400	am	(P-5426)
1220.110	am	(P-5867/88; A-4191)	1220.630	n	(P-274; A-10613) (E-651)	1290.540	r	(P-15854/88; A-10923)	1470.500	am	(P-5426)
1220.120	am	(P-5867/88; A-4191)	1220.640	n	(P-274; A-10613) (E-651)	1290.550	r	(P-15854/88; A-10923)	1470.600	am	(P-5426)
1220.130	am	(P-5867/88; A-4191)	1220.650	n	(P-274; A-10613) (E-651)	1290.560	r	(P-15854/88; A-10923)	1470.700	am	(P-5426)
1220.140	am	(P-5867/88; A-4191)	1220.660	n	(P-274; A-10613) (E-651)	1290.570	r	(P-15854/88; A-10923)	1470.800	am	(P-5426)
1220.150	r	(P-5867/88; A-4191)	1220.670	n	(P-274; A-10613) (E-651)	1290.580	r	(P-15854/88; A-10923)	1470.900	am	(P-5426)
1220.160	am	(P-5867/88; A-4191)	1220.680	n	(P-274; A-10613) (E-651)	1290.590	r	(P-15854/88; A-10923)	1470.100	am	(P-5426)
1220.170	am	(P-5867/88; A-4191)	1220.690	n	(P-274; A-10613) (E-651)	1290.600	r	(P-15854/88; A-10923)	1470.200	am	(P-5426)
1220.180	am	(P-5867/88; A-4191)	1220.700	n	(P-274; A-10613) (E-651)	1290.610	r	(P-15854/88; A-10923)	1470.300	am	(P-5426)
1220.190	am	(P-5867/88; A-4191)	1220.710	n	(P-274; A-10613) (E-651)	1290.620	r	(P-15854/88; A-10923)	1470.400	am	(P-5426)
1220.200	am	(P-5867/88; A-4191)	1220.720	n	(P-274; A-10613) (E-651)	1290.630	r	(P-15854/88; A-10923)	1470.500	am	(P-5426)
1220.210	am	(P-5867/88; A-4191)	1220.730	n	(P-274; A-10613) (E-651)	1290.640	r	(P-15854/88; A-10923)	1470.600	am	(P-5426)
1220.220	am	(P-5867/88; A-4191)	1220.740	n	(P-274; A-10613) (E-651)	1290.650	r	(P-15854/88; A-10923)	1470.700	am	(P-5426)
1220.230	am	(P-5867/88; A-4191)	1220.750	n	(P-274; A-10613) (E-651)	1290.660	r	(P-15854/88; A-10923)	1470.800	am	(P-5426)
1220.240	am	(P-5867/88; A-4191)	1220.760	n	(P-274; A-10613) (E-651)	1290.670	r	(P-15854/88; A-10923)	1470.900	am	(P-5426)
1220.250	am	(P-5867/88; A-4191)	1220.770	n	(P-274; A-10613) (E-651)	1290.680	r	(P-15854/88; A-10923)	1470.100	am	(P-5426)
1220.260	am	(P-5867/88; A-4191)	1220.780	n	(P-274; A-10613) (E-651)	1290.690	r	(P-15854/88; A-10923)	1470.200	am	(P-5426)
1220.270	am	(P-5867/88; A-4191)	1220.790	n	(P-274; A-10613) (E-651)	1290.700	r	(P-15854/88; A-10923)	1470.300	am	(P-5426)
1220.280	am	(P-5867/88; A-4191)	1220.800	n	(P-274; A-10613) (E-651)	1290.710	r	(P-15854/88; A-10923)	1470.400		

TITLE 68 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
1470.100	am (P-5426)	200.202	r (P-1767388; A-4681)	200.822	r (P-1767388; A-4681)
1480.20	am (E-5781; O-9605) (P-5424)	200.203	r (P-1767388; A-4681)	200.823	r (P-1767388; A-4681)
1500.10	am (P-1810088; A-3826)	200.204	r (P-1767388; A-4681)	200.824	r (P-1767388; A-4681)
1500.11	am (P-1810088; A-3826)	200.205	r (P-1767388; A-4681)	200.825	r (P-1767388; A-4681)
TITLE 71		200.206	r (P-1767388; A-4681)	200.826	r (P-1767388; A-4681)
40.130	am (P-1283; A-6973)	200.207	r (P-1767388; A-4681)	200.901	r (P-1767388; A-4681)
1510.100	n (P-1481388; O-3442; R-5210; A-5098)	200.208	r (P-1767388; A-4681)	200.902	r (P-1767388; A-4681)
1510.110	n (P-1481388; O-3442; R-5210; A-5098)	200.209	r (P-1767388; A-4681)	200.903	r (P-1767388; A-4681)
1510.120	n (P-1481388; O-3442; R-5210; A-5098)	200.210	r (P-1767388; A-4681)	200.904	r (P-1767388; A-4681)
1510.130	n (P-1481388; O-3442; R-5210; A-5098)	200.301	r (P-1767388; A-4681)	200.905	r (P-1767388; A-4681)
1510.140	n (P-1481388; O-3442; R-5210; A-5098)	200.302	r (P-1767388; A-4681)	200.906	r (P-1767388; A-4681)
1510.150	n (P-1481388; O-3442; R-5210; A-5098)	200.303	r (P-1767388; A-4681)	200.907	r (P-1767388; A-4681)
1510.200	n (P-1481388; O-3442; R-5210; A-5098)	200.401	r (P-1767388; A-4681)	200.908	r (P-1767388; A-4681)
1510.210	n (P-1481388; O-3442; R-5210; A-5098)	200.402	r (P-1767388; A-4681)	200.909	r (P-1767388; A-4681)
1510.220	n (P-1481388; O-3442; R-5210; A-5098)	200.403	r (P-1767388; A-4681)	200.910	r (P-1767388; A-4681)
1510.300	n (P-1481388; O-3442; R-5210; A-5098)	200.404	r (P-1767388; A-4681)	200.911	r (P-1767388; A-4681)
1510.310	n (P-1481388; O-3442; R-5210; A-5098)	200.405	r (P-1767388; A-4681)	200.912	r (P-1767388; A-4681)
1510.320	n (P-1481388; O-3442; R-5210; A-5098)	200.406	r (P-1767388; A-4681)	200.913	r (P-1767388; A-4681)
1510.330	n (P-1481388; O-3442; R-5210; A-5098)	200.501	r (P-1767388; A-4681)	200.914	r (P-1767388; A-4681)
1510.340	n (P-1481388; O-3442; R-5210; A-5098)	200.502	r (P-1767388; A-4681)	200.915	r (P-1767388; A-4681)
1510.350	n (P-1481388; O-3442; R-5210; A-5098)	200.503	r (P-1767388; A-4681)	200.916	r (P-1767388; A-4681)
1510.Ap. A	n (P-1481388; O-3442; R-5210; A-5098)	200.504	r (P-1767388; A-4681)	200.917	r (P-1767388; A-4681)
1510.Ap. B	n (P-1481388; O-3442; R-5210; A-5098)	200.601	r (P-1767388; A-4681)	200.918	r (P-1767388; A-4681)
TITLE 74		200.602	r (P-1767388; A-4681)	200.919	r (P-1767388; A-4681)
280.10	am (P-1925988; A-4664)	200.603	r (P-1767388; A-4681)	200.920	r (P-1767388; A-4681)
280.20	am (P-5314)	200.604	r (P-1767388; A-4681)	200.921	r (P-1767388; A-4681)
280.30	am (P-1925988; A-4664)	200.605	r (P-1767388; A-4681)	200.922	r (P-1767388; A-4681)
280.Ap. A	n (P-1925988; A-4664)	200.701	r (P-1767388; A-4681)	200.923	r (P-1767388; A-4681)
280.Ap. B	n (P-1925988; A-4664)	200.702	r (P-1767388; A-4681)	200.924	r (P-1767388; A-4681)
420.630	am (P-11983)	200.703	r (P-1767388; A-4681)	200.925	r (P-1767388; A-4681)
420.640	am (P-11983)	200.704	r (P-1767388; A-4681)	200.926	r (P-1767388; A-4681)
TITLE 77		200.705	r (P-1767388; A-4681)	200.927	r (P-1767388; A-4681)
200.100	r (P-1767388; A-4681)	200.706	r (P-1767388; A-4681)	200.928	r (P-1767388; A-4681)
200.101	r (P-1767388; A-4681)	200.707	r (P-1767388; A-4681)	200.929	r (P-1767388; A-4681)
200.150	r (P-1767388; A-4681)	200.708	r (P-1767388; A-4681)	200.930	r (P-1767388; A-4681)
200.201	r (P-1767388; A-4681)	200.801	r (P-1767388; A-4681)	200.931	r (P-1767388; A-4681)
		200.802	r (P-1767388; A-4681)	200.932	r (P-1767388; A-4681)
		200.803	r (P-1767388; A-4681)	200.933	r (P-1767388; A-4681)
		200.804	r (P-1767388; A-4681)	200.1001	r (P-1767388; A-4681)
		200.805	r (P-1767388; A-4681)	200.1002	r (P-1767388; A-4681)
		200.806	r (P-1767388; A-4681)	200.1003	r (P-1767388; A-4681)
		200.807	r (P-1767388; A-4681)	200.1004	r (P-1767388; A-4681)
		200.808	r (P-1767388; A-4681)	200.1005	r (P-1767388; A-4681)
		200.809	r (P-1767388; A-4681)	200.1006	r (P-1767388; A-4681)
		200.810	r (P-1767388; A-4681)	200.1007	r (P-1767388; A-4681)
		200.811	r (P-1767388; A-4681)	200.1008	r (P-1767388; A-4681)
		200.812	r (P-1767388; A-4681)	240.20	am (P-10028)
		200.813	r (P-1767388; A-4681)	240.20	am (P-10028)
		200.814	r (P-1767388; A-4681)	245.30	am (P-10007)
		200.815	r (P-1767388; A-4681)	245.50	am (P-10007)
		200.816	r (P-1767388; A-4681)	245.20	am (P-10007)
		200.817	r (P-1767388; A-4681)	250.150	am (P-7875)
		200.818	r (P-1767388; A-4681)	250.315	n (P-7875)
		200.819	r (P-1767388; A-4681)	250.330	am (P-7875)
		200.820	r (P-1767388; A-4681)	250.2140	am (P-7875)
		200.821	r (P-1767388; A-4681)	300.110	am (P-2133388; A-4684)
				300.120	am (P-2133388; A-4684)

TITLE 77 (CONT'D)	
300.1050	am (P-21333/88; A-4684)
300.1210	am (P-21333/88; A-4684)
300.1220	am (P-21333/88; A-4684)
300.1230	am (P-21333/88; A-4684)
300.1240	am (P-21333/88; A-4684)
300.1410	am (P-21333/88; A-4684)
300.1420	am (P-21333/88; A-4684)
300.1430	am (P-21333/88; A-4684)
300.1610	am (P-21333/88; A-4684)
300.1620	am (P-21333/88; A-4684)
300.1630	am (P-21333/88; A-4684)
300.1640	am (P-21333/88; A-4684)
300.1650	am (P-21333/88; A-4684)
300.1810	am (P-21333/88; A-4684)
300.1820	am (P-21333/88; A-4684)
300.1830	am (P-21333/88; A-4684)
300.1840	am (P-21333/88; A-4684)
300.1850	am (P-21333/88; A-4684)
300.1860	am (P-21333/88; A-4684)
300.1870	am (P-21333/88; A-4684)
300.1880	am (P-21333/88; A-4684)
300.2010	am (P-21333/88; A-4684)
300.2020	am (P-21333/88; A-4684)
300.2030	am (P-21333/88; A-4684)
300.2040	am (P-21333/88; A-4684)
300.2050	am (P-21333/88; A-4684)
300.2060	am (P-21333/88; A-4684)
300.2070	am (P-21333/88; A-4684)
300.2080	am (P-21333/88; A-4684)
300.2090	am (P-21333/88; A-4684)
300.2100	am (P-21333/88; A-4684)
300.2110	am (P-21333/88; A-4684)
300.2210	am (P-21333/88; A-4684)
300.2220	am (P-21333/88; A-4684)
300.2230	am (P-21333/88; A-4684)
300.2410	am (P-21333/88; A-4684)
300.2420	am (P-21333/88; A-4684)
300.2430	am (P-21333/88; A-4684)
300.2510	am (P-21333/88; A-4684)
300.2620	am (P-21333/88; A-4684)
300.2630	am (P-21333/88; A-4684)
300.2640	am (P-21333/88; A-4684)
300.2810	am (P-21333/88; A-4684)
300.2820	am (P-21333/88; A-4684)
300.2830	am (P-21333/88; A-4684)
300.2840	am (P-21333/88; A-4684)
300.2850	am (P-21333/88; A-4684)
300.2860	am (P-21333/88; A-4684)
300.2870	am (P-21333/88; A-4684)
300.2880	am (P-21333/88; A-4684)
300.2890	am (P-21333/88; A-4684)
300.2900	am (P-21333/88; A-4684)
300.2910	am (P-21333/88; A-4684)
300.2920	am (P-21333/88; A-4684)
300.2930	am (P-21333/88; A-4684)
300.2940	am (P-21333/88; A-4684)

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
450.450	n	(P-19327/88; A-4285)	490.420	n	(P-2974)	540.30	am	(P-4616)
450.510	am	(P-2249; A-11573)	490.430	n	(P-2974)	540.40	am	(P-4616)
450.520	am	(P-2249; A-11573)	490.440	n	(P-2974)	540.50	am	(P-4616)
450.530	r	(P-2249; A-11573)	490.510	n	(P-2974)	540.70	am	(P-4616)
450.540	r	(P-2249; A-11573)	490.520	n	(P-2974)	540.80	am	(P-4616)
450.550	r	(P-2249; A-11573)	490.610	n	(P-2974)	540.90	am	(P-4616)
450.560	r	(P-2249; A-11573)	490.620	n	(P-2974)	540.160	am	(P-4616)
450.570	r	(P-2249; A-11573)	490.710	n	(P-2974)	540.190	n	(P-4616)
450.610	am	(P-2249; A-11573)	490.720	n	(P-2974)	542.10	n	(P-4544/88; A-3086)
450.710	am	(P-2249; A-11573)	490.730	n	(P-2974)	542.20	n	(P-4544/88; A-3086)
450.720	am	(P-2249; A-11573)	490.740	n	(P-2974)	542.30	n	(P-4544/88; A-3086)
450.730	am	(P-2249; A-11573)	490.750	n	(P-2974)	542.40	n	(P-4544/88; A-3086)
450.810	r	(P-2249; A-11573)	490.760	n	(P-2974)	542.50	n	(P-4544/88; A-3086)
450.820	r	(P-2249; A-11573)	490.770	n	(P-2974)	542.60	n	(P-4544/88; A-3086)
450.830	r	(P-2249; A-11573)	490.780	n	(P-2974)	542.70	n	(P-4544/88; A-3086)
450.835	r	(P-2249; A-11573)	490.810	n	(P-2974)	542.80	n	(P-4544/88; A-3086)
450.840	r	(P-2249; A-11573)	490.820	n	(P-2974)	542.90	n	(P-4544/88; A-3086)
450.845	r	(P-2249; A-11573)	490.830	n	(P-2974)	542.100	n	(P-4544/88; A-3086)
450.848	r	(P-2249; A-11573)	490.840	n	(P-2974)	240.20	am	(P-10028)
450.850	r	(P-2249; A-11573)	490.910	n	(P-2974)	245.20	am	(P-10007)
450.860	r	(P-2249; A-11573)	535.10	am	(P-4500)	245.30	am	(P-10007)
450.870	r	(P-2249; A-11573)	535.20	am	(P-4126)	245.50	am	(P-10007)
450.920	am	(P-2249; A-11573)	535.150	am	(P-4126)	600.110	am	(P-10035)
450.930	am	(P-2249; A-11573)	535.200	am	(P-4126)	600.120	am	(P-10035)
450.940	am	(P-2249; A-11573)	535.240	am	(P-4126)	600.230	am	(P-10035)
450.950	am	(P-2249; A-11573)	535.400	am	(P-4126)	600.250	am	(P-10035)
450.1010	am	(P-2249; A-11573)	535.410	am	(P-4126)	600.310	am	(P-10035)
450.1110	am	(P-2249; A-11573)	535.420	am	(P-4126)	600.900	am	(P-10035)
450.1120	am	(P-2249; A-11573)	535.430	am	(P-4126)	600.910	r	(P-10035)
450.1130	am	(P-2249; A-11573)	535.800	n	(P-4126)	600.920	r	(P-10035)
450.1140	am	(P-2249; A-11573)	535.810	n	(P-4126)	600.930	r	(P-10035)
450.1150	am	(P-2249; A-11573)	535.820	n	(P-4126)	600.1100	am	(P-10035)
450.1155	am	(P-2249; A-11573)	535.830	n	(P-4126)	600.1110	am	(P-10035)
450.1200	am	(P-2249; A-11573)	535.840	n	(P-4126)	600.1120	am	(P-10035)
450.1300	am	(P-2249; A-11573)	535.850	n	(P-4126)	600.1130	am	(P-10035)
450.1300	n	(P-19327/88; A-4285)	535.860	n	(P-4126)	600.1140	am	(P-10035)
450.1310	am	(P-2249; A-11573)	535.870	n	(P-4126)	600.1400	am	(P-10035)
450.1310	n	(P-19327/88; A-4285)	535.900	n	(P-4500)	615.100	am	(P-10137)
450.1320	am	(P-2249; A-11573)	535.910	n	(P-4500)	615.110	am	(P-10137)
450.1320	n	(P-19327/88; A-4285)	535.920	n	(P-4500)	615.140	am	(P-10137)
450.1330	am	(P-2249; A-11573)	535.930	n	(P-4500)	615.150	am	(P-10137)
450.1330	n	(P-19327/88; A-4285)	535.931	n	(P-4500)	615.160	am	(P-10137)
450.1330	n	(P-2249; A-11573)	535.932	n	(P-4500)	615.200	am	(P-10137)
450.1330	n	(P-2249; A-11573)	535.933	n	(P-4500)	615.310	am	(P-10137)
450.1330	n	(A-11573)	535.934	n	(P-4500)	615.320	am	(P-10137)
450.1330	n	(P-2974)	535.935	n	(P-4500)	615.330	am	(P-10137)
490.20	n	(P-2974)	535.936	n	(P-4500)	615.360	am	(P-10137)
490.30	n	(P-2974)	535.940	n	(P-4500)	615.370	am	(P-10137)
490.40	n	(P-2974)	535.941	n	(P-4500)	615.510	am	(P-10137)
490.210	n	(P-2974)	535.942	n	(P-4500)	615.520	am	(P-10137)
490.220	n	(P-2974)	535.943	n	(P-4500)	615.530	am	(P-10137)
490.230	n	(P-2974)	535.950	n	(P-4500)	615.540	am	(P-10137)
490.310	n	(P-2974)	535.951	n	(P-4500)	630.10	am	(P-10060)
490.320	n	(P-2974)	535.952	n	(P-4500)	630.20	am	(P-10060)
490.330	n	(P-2974)	535.953	n	(P-4500)	630.30	am	(P-10060)
490.410	n	(P-2974)	540.10	am	(P-4616)	630.40	am	(P-10060)

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
665.610	n	(P-1998/88; A-11565)	725.41	n	(P-7272/88; A-2502)	790.460	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2060	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.42	n	(P-7272/88; A-2502)	790.500	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2097	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.43	n	(P-7272/88; A-2502)	790.540	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2140	am	(P-12991/88; P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.44	n	(P-7272/88; A-2502)	790.580	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2180	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.45	r	(P-7265/88; A-2517)	790.600	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2260	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.46	r	(P-7265/88; A-2517)	790.620	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2340	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.47	r	(P-7265/88; A-2517)	790.630	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2380	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.48	r	(P-7265/88; A-2517)	790.640	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2500	am	(P-12991/88; P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.49	r	(P-7265/88; A-2517)	790.650	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2540	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.50	r	(P-7265/88; A-2517)	790.660	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2580	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.51	r	(P-7265/88; A-2517)	790.670	n	(P-3015; A-11717) (E-3108)	790.2603	n	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.52	r	(P-7265/88; A-2517)	790.680	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2605	am	(P-12991/88; P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.53	r	(P-7265/88; A-2517)	790.690	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2613	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.54	r	(P-7265/88; A-2517)	790.700	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2617	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.55	r	(P-7265/88; A-2517)	790.710	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2618	am	(P-12991/88; P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.56	r	(P-7265/88; A-2517)	790.720	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2663	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.57	r	(P-7265/88; A-2517)	790.730	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2667	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.58	r	(P-7265/88; A-2517)	790.740	r	(P-3015; A-11717) (E-3108)	790.2672	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.59	r	(P-7265/88; A-2517)	790.750	n	(P-3015; A-11717) (E-3108)	790.2700	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.60	r	(P-7265/88; A-2517)	790.760	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2780	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.61	r	(P-7265/88; A-2517)	790.770	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2800	n	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.62	r	(P-7265/88; A-2517)	790.780	n	(P-16425/88; A-856)	790.2820	n	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.63	r	(P-7265/88; A-2517)	790.790	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2860	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.64	r	(P-7265/88; A-2517)	790.800	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2900	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.65	r	(P-7265/88; A-2517)	790.810	n	(P-16425/88; A-856)	790.2920	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.66	r	(P-7265/88; A-2517)	790.820	n	(P-16425/88; A-856)	790.2932	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.67	r	(P-7265/88; A-2517)	790.830	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.2940	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.68	r	(P-7265/88; A-2517)	790.840	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3020	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.69	r	(P-7265/88; A-2517)	790.850	n	(P-16425/88; A-856)	790.3023	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.70	r	(P-7265/88; A-2517)	790.860	n	(P-16425/88; A-856)	790.3027	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.71	r	(P-7265/88; A-2517)	790.870	am	(P-3015; A-11717) (E-3108)	790.3028	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.72	r	(P-7265/88; A-2517)	790.880	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3054	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.73	r	(P-7265/88; A-2517)	790.890	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3085	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.74	r	(P-7265/88; A-2517)	790.900	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3100	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.75	r	(P-7265/88; A-2517)	790.910	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3300	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.76	r	(P-7265/88; A-2517)	790.920	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3315	am	(P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.77	r	(P-7265/88; A-2517)	790.930	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3355	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.78	r	(P-7265/88; A-2517)	790.940	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3340	am	(P-12991/88; P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.79	r	(P-7265/88; A-2517)	790.950	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3420	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.80	r	(P-7265/88; A-2517)	790.960	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3425	am	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.81	r	(P-7265/88; A-2517)	790.970	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3437	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
665.610	n	(P-1998/88; A-11565)	725.82	r	(P-7265/88; A-2517)	790.980	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3440	n	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.83	r	(P-7265/88; A-2517)	790.990	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.3475	n	(P-16425/88; A-856)
665.610	n	(P-1998/88; A-11565)	725.84	r	(P-7265/88; A-2517)	790.100	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.85	r	(P-7265/88; A-2517)	790.110	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.86	r	(P-7265/88; A-2517)	790.120	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.87	r	(P-7265/88; A-2517)	790.130	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.88	r	(P-7265/88; A-2517)	790.140	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.89	r	(P-7265/88; A-2517)	790.150	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.90	r	(P-7265/88; A-2517)	790.160	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.91	r	(P-7265/88; A-2517)	790.170	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.92	r	(P-7265/88; A-2517)	790.180	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.93	r	(P-7265/88; A-2517)	790.190	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.94	r	(P-7265/88; A-2517)	790.200	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.95	r	(P-7265/88; A-2517)	790.210	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.96	r	(P-7265/88; A-2517)	790.220	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.97	r	(P-7265/88; A-2517)	790.230	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.98	r	(P-7265/88; A-2517)	790.240	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	725.99	r	(P-7265/88; A-2517)	790.250	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.00	r	(P-7265/88; A-2517)	790.260	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.01	r	(P-7265/88; A-2517)	790.270	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.02	r	(P-7265/88; A-2517)	790.280	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.03	r	(P-7265/88; A-2517)	790.290	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.04	r	(P-7265/88; A-2517)	790.300	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.05	r	(P-7265/88; A-2517)	790.310	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.06	r	(P-7265/88; A-2517)	790.320	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.07	r	(P-7265/88; A-2517)	790.330	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)			
665.610	n	(P-1998/88; A-11565)	726.08								

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
790.3492	am	(P-3015; A-11717) (E-3108)	790.5544	am	(P-12991/88; P-16425/88; A-856)	790.6960	n	(P-12991/88; P-16425/88; A-856)
790.3500	am	(P-16425/88; A-856)	790.5560	n	(P-3015; A-11717) (E-3108)	790.6980	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.3540	am	(P-12991/88; P-16425/88; A-856)	790.5620	am	(P-12991/88; P-16425/88; A-856)	790.7020	am	(P-16425/88; A-856)
790.3620	am	(P-3015; A-11717) (E-3108)	790.5640	n	(P-3015; A-11717) (E-3108)	790.7140	am	(P-16425/88; A-856)
790.3700	am	(P-3015; A-11717) (E-3108)	790.5660	am	(P-12991/88; A-856)	790.7180	am	(P-16425/88; A-856)
790.3720	n	(P-16425/88; A-856)	790.5780	am	(P-3015; A-11717) (E-3108)	790.7181	n	(P-16425/88; A-856)
790.3900	am	(P-16425/88; A-856)	790.5792	am	(P-12991/88; P-16425/88; A-856)	790.7223	am	(P-3015; A-11717) (E-3108)
790.3907	am	(P-12991/88; A-856)	790.5795	n	(P-16425/88; A-856)	790.7265	am	(P-16425/88; A-856)
790.3910	n	(P-12991/88; P-16425/88; A-856)	790.5807	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.7280	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.3910	am	(P-3015; A-11717) (E-3108)	790.5820	am	(P-12991/88; P-16425/88; A-856)	790.7288	n	(P-16425/88; A-856)
790.3940	am	(P-3015; A-11717) (E-3108)	790.5830	am	(P-12991/88; P-16425/88; A-856)	790.7288	am	(P-3015; A-11717) (E-3108)
790.3945	am	(P-16425/88; A-856)	790.5837	am	(P-12991/88; A-856)	790.7400	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.4012	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.5840	am	(P-16425/88; A-856)	790.7500	am	(P-3015; A-11717) (E-3108)
790.4040	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.5872	am	(P-16425/88; A-856)	790.7540	am	(P-12991/88; P-16425/88; A-856)
790.4060	am	(P-16425/88; A-856)	790.5893	am	(P-16425/88; A-856)	790.7540	am	(P-16425/88; A-856) (A-11717)
790.4100	am	(P-12991/88; P-16425/88; A-856)	790.5900	am	(P-12991/88; A-856)	790.7700	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.4398	am	(P-3015; A-11717) (E-3108)	790.5924	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.7820	am	(P-3015; A-11717) (E-3108)
790.4420	am	(P-16425/88; A-856)	790.5940	am	(P-12991/88; P-16425/88; A-856)	790.7828	am	(P-12991/88; P-16425/88; A-856)
790.4430	am	(P-3015; A-11717) (E-3108)	790.5992	am	(P-16425/88; A-856)	790.8020	am	(P-3015; A-11717) (E-3108)
790.4460	am	(P-16425/88; A-856)	790.6140	am	(P-16425/88; A-856)	790.8140	am	(P-3015; A-11717) (E-3108)
790.4540	am	(P-3015; A-11717) (E-3108)	790.6180	am	(P-3015; A-11717) (E-3108)	790.8248	r	(P-3015; A-11717) (E-3108)
790.4580	am	(P-16425/88; A-856)	790.6260	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.8260	am	(P-3015; A-11717) (E-3108)
790.4620	am	(P-16425/88; A-856)	790.6275	am	(P-12991/88; P-16425/88; A-856)	790.8378	am	(P-16425/88; A-856)
790.4660	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.6280	am	(P-16425/88; A-856)	790.8380	am	(P-16425/88; A-856)
790.4670	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.6284	am	(P-16425/88; A-856)	790.8420	am	(P-3015; A-11717) (E-3108)
790.4680	am	(P-12991/88; A-856)	790.6370	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.8580	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.4720	am	(P-12991/88; P-16425/88; A-856)	790.6375	n	(P-16425/88; A-856)	790.8700	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.4740	am	(P-12991/88; P-16425/88; A-856)	790.6445	am	(P-16425/88; A-856)	790.8724	am	(P-3015; A-11717) (E-3108)
790.4820	am	(P-3015; A-11717) (E-3108)	790.6450	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.8740	am	(P-3015; A-11717) (E-3108)
790.4860	n	(P-16425/88; A-856)	790.6452	am	(P-16425/88; A-856)	790.8900	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.4960	am	(P-16425/88; A-856)	790.6454	n	(P-16425/88; A-856)	790.8940	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5140	am	(P-12991/88; P-16425/88; A-856)	790.6456	am	(P-12991/88; P-16425/88; A-856)	790.9020	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.5180	am	(P-3015; A-11717) (E-3108)	790.6540	am	(P-16425/88; A-856)	790.9060	am	(P-12991/88; P-16425/88; A-856)
790.5220	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.6580	am	(P-16425/88; A-856)	790.9084	am	(P-3015; A-11717) (E-3108)
790.5300	am	(P-16425/88; A-856)	790.6621	n	(P-16425/88; A-856)	790.9100	am	(P-3015; A-11717) (E-3108)
790.5312	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.6670	am	(P-16425/88; A-856)	790.9140	am	(P-12991/88; P-16425/88; A-856)
790.5420	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.6740	am	(P-16425/88; A-856)	790.9220	am	(P-3015; A-11717) (E-3108)
790.5483	am	(P-12991/88; P-16425/88; A-856)	790.6780	am	(P-16425/88; A-856)	790.9320	am	(P-3015; A-11717) (E-3108)
790.5520	n	(P-3015; A-11717) (E-3108)	790.6860	am	(P-3015; A-11717) (E-3108)	790.9380	am	(P-3015; A-11717) (E-3108)
790.5530	am	(P-16425/88; A-856)	790.6875	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)	790.9475	am	(P-3015; A-11717) (E-3108)
790.5540	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)	790.6885	n	(P-3015; A-11717) (E-3108)	790.9486	am	(P-12991/88; P-16425/88; A-856)
			790.6946	am	(P-16425/88; A-856)			

TITLE 77 CONT'D		
830.870	n	(P-3325/88; A-2090)
830.IIA	n	(P-3325/88; A-2090)
830.IIB	n	(P-3325/88; A-2090)
855.10	am	(P-6564/88; A-2768)
855.20	am	(P-6564/88; A-2768)
855.50	am	(P-6564/88; A-2768)
855.55	am	(P-6564/88; A-2768)
855.60	am	(P-6564/88; A-2768)
855.70	am	(P-6564/88; A-2768)
855.80	am	(P-6564/88; A-2768)
855.130	am	(P-6564/88; A-2768)
855.140	am	(P-6564/88; A-2768)
855.180	am	(P-6564/88; A-2768)
855.220	am	(P-6564/88; A-2768)
855.240	am	(P-6564/88; A-2768)
855.260	am	(P-6564/88; A-2768)
855.270	am	(P-6564/88; A-2768)
855.275	n	(P-6564/88; A-2768)
855.280	am	(P-6564/88; A-2768)
855.290	am	(P-6564/88; A-2768)
855.300	am	(P-6564/88; A-2768)
855.330	n	(P-6564/88; A-2768)
855.340	n	(P-6564/88; A-2768)
855.345	n	(P-6564/88; A-2768)
855.350	n	(P-6564/88; A-2768)
855.355	n	(P-6564/88; A-2768)
855.360	n	(P-6564/88; A-2768)
855.Ap. A	am	(P-6564/88; A-2768)
855.Ap. B	am	(P-6564/88; A-2768)
855.Ap. C	n	(P-6564/88; A-2768)
855.Ap. D	n	(P-6564/88; A-2768)
855.Ap. E	n	(P-6564/88; A-2768)
855.Ap. F	n	(P-6564/88; A-2768)
855.Ap. G	n	(P-6564/88; A-2768)
855.Ap. H	n	(P-6564/88; A-2768)
855.Ap. I	n	(P-6564/88; A-2768)
855.Ap. J	n	(P-6564/88; A-2768)
855.Ap. K	n	(P-6564/88; A-2768)
855.Ap. L	n	(P-6564/88; A-2768)
855.Ap. M	n	(P-6564/88; A-2768)
855.Ap. N	n	(P-6564/88; A-2768)
855.Ap. O	n	(P-6564/88; A-2768)
855.Ap. P	n	(P-6564/88; A-2768)
855.Ap. Q	n	(P-6564/88; A-2768)
855.Ap. R	n	(P-6564/88; A-2768)
855.Ap. S	n	(P-6564/88; A-2768)
855.Ap. T	n	(P-6564/88; A-2768)
855.Ap. U	n	(P-6564/88; A-2768)
855.Ap. V	n	(P-6564/88; A-2768)
855.Ap. W	n	(P-6564/88; A-2768)
855.Ap. X	n	(P-6564/88; A-2768)
855.Ap. Y	n	(P-6564/88; A-2768)
855.Ap. Z	n	(P-6564/88; A-2768)
855.Ap. AA	n	(P-6564/88; A-2768)
855.Ap. AB	n	(P-6564/88; A-2768)
855.Ap. AC	n	(P-6564/88; A-2768)
855.Ap. AD	n	(P-6564/88; A-2768)
855.Ap. AE	n	(P-6564/88; A-2768)
855.Ap. AF	n	(P-6564/88; A-2768)
855.Ap. AG	n	(P-6564/88; A-2768)
855.Ap. AH	n	(P-6564/88; A-2768)
855.Ap. AI	n	(P-6564/88; A-2768)
855.Ap. AJ	n	(P-6564/88; A-2768)
855.Ap. AK	n	(P-6564/88; A-2768)
855.Ap. AL	n	(P-6564/88; A-2768)
855.Ap. AM	n	(P-6564/88; A-2768)
855.Ap. AN	n	(P-6564/88; A-2768)
855.Ap. AO	n	(P-6564/88; A-2768)
855.Ap. AP	n	(P-6564/88; A-2768)
855.Ap. AQ	n	(P-6564/88; A-2768)
855.Ap. AR	n	(P-6564/88; A-2768)
855.Ap. AS	n	(P-6564/88; A-2768)
855.Ap. AT	n	(P-6564/88; A-2768)
855.Ap. AU	n	(P-6564/88; A-2768)
855.Ap. AV	n	(P-6564/88; A-2768)
855.Ap. AW	n	(P-6564/88; A-2768)
855.Ap. AX	n	(P-6564/88; A-2768)
855.Ap. AY	n	(P-6564/88; A-2768)
855.Ap. AZ	n	(P-6564/88; A-2768)
855.Ap. BA	n	(P-6564/88; A-2768)
855.Ap. BB	n	(P-6564/88; A-2768)
855.Ap. BC	n	(P-6564/88; A-2768)
855.Ap. BD	n	(P-6564/88; A-2768)
855.Ap. BE	n	(P-6564/88; A-2768)
855.Ap. BF	n	(P-6564/88; A-2768)
855.Ap. BG	n	(P-656

TITLE 77 (CONT'D)	
890.1040	am (P-4543)
890.1070	am (P-4543)
890.1110	am (P-4543)
890.1210	am (P-4543)
890.1410	am (P-4543)
890.1460	am (P-4543)
890.1540	am (P-4543)
890.1550	am (P-4543)
890.1620	am (P-4543)
890.1640	am (P-4543)
890.1650	am (P-4543)
890.1720	am (P-4543)
890.1750	am (P-4543)
890.2000	am (P-4543)
890.2110	am (P-4543)
890.3010	n (P-4543)
890.3020	n (P-4543)
890.3030	n (P-4543)
890.3040	n (P-4543)
890.3050	n (P-4543)
890.3060	n (P-4543)
890.3070	n (P-4543)
890.3080	n (P-4543)
890.3090	n (P-4543)
890.4000	n (P-4543)
910.5	am (P-8282)
910.10	am (P-8282)
910.15	am (P-8282)
910.20	am (P-8282)
910.30	am (P-8282)
910.40	am (P-8282)
910.50	am (P-8282)
910.60	am (P-8282)
910.70	am (P-8282)
910.80	am (P-8282)
920.30	am (P-1723/88; A-11796)
920.50	am (P-1723/88; A-11796)
920.70	am (P-1723/88; A-11796)
920.80	am (P-1723/88; A-11796)
920.90	am (P-1723/88; A-11796)
920.120	am (P-1723/88; A-11796)
920.130	am (P-1723/88; A-11796)
920.150	am (P-1723/88; A-11796)
920.150	am (P-1723/88; A-11796)
925.15	n (P-1725/88; A-11816)
925.30	am (P-1725/88; A-11816)
925.40	am (P-1725/88; A-11816)
1100.40	r (P-5596)
1100.220	am (P-5596)
1100.560	am (P-5596)
1100.570	am (P-5596)
1100.620	am (P-5596)
1100.630	am (P-5596)
1100.660	am (P-5596)
1110.30	am (P-5619)
1110.40	am (P-5619)

TITLE 77 (CONT'D)		TITLE 80 (C)	
1110.50	n	(P-5619)	150.680
1110.220	ann	(P-5619)	250.50
1110.720	ann	(P-5619)	250.70
1110.1320	ann	(P-5619)	302.105
1110.1330	ann	(P-5619)	302.190
1110.1730	ann	(P-5619)	302.200
1110.2220	ann	(P-5619)	302.625
1110.2230	ann	(P-5619)	302.800
1110.2330	ann	(P-5619)	302.800
1150.110	r	(P-5580)	302.810
1150.210	r	(P-5580)	302.810
1150.220	r	(P-5580)	302.820
1150.230	r	(P-5580)	302.820
1150.310	r	(P-5580)	302.822
1150.320	r	(P-5580)	302.822
1150.330	r	(P-5580)	302.824
1150.410	r	(P-5580)	302.824
1150.420	r	(P-5580)	302.825
1150.430	r	(P-5580)	302.825
1150.440	r	(P-5580)	302.830
1150.450	r	(P-5580)	302.830
2056.1	ann	(P-22265/88; A-7274)	302.840
2056.5	ann	(P-22265/88; A-7274)	302.840
2056.55	ann	(P-22265/88; A-7274)	302.841
2056.60	ann	(P-22265/88; A-7274)	302.842
2056.61	n	(P-22265/88; A-7274)	302.846
2056.70	ann	(P-22265/88; A-7274)	302.846
2056.75	ann	(P-22265/88; A-7274)	302.850
2056.300	ann	(P-22265/88; A-7274)	302.850
2056.320	ann	(P-22265/88; A-7274)	302.860
2056.330	ann	(P-22265/88; A-7274)	302.860
2056.405	ann	(P-22265/88; A-7274)	302.863
2056.410	ann	(P-22265/88; A-7274)	302.863
2056.415	ann	(P-22265/88; A-7274)	310.30
2056.420	ann	(P-22265/88; A-7274)	310.110
2056.500	ann	(P-22265/88; A-7274)	310.130
2056.505	ann	(P-22265/88; A-7274)	310.230
2056.510	ann	(P-22265/88; A-7274)	310.290
2056.515	ann	(P-22265/88; A-7274)	310.290
2056.605	ann	(P-22265/88; A-7274)	310.320
2056.610	ann	(P-22265/88; A-7274)	310.530
2056.700	ann	(P-22265/88; A-7274)	310.540
2056.710	ann	(P-22265/88; A-7274)	310.540
2056.Ap. A ann		(P-13694/88; A-334)	310.Ap. A
2510.50	ann	(P-8198)	
2510.55	ann	(P-8198)	
2510.Ap. Dam		(P-8198)	
2800.102	ann	(P-6856)	
TITLE 80			
150.10	ann	(P-16438/88; A-5201)	Tb. A
150.510	ann	(P-16438/88; A-5201)	Tb. B
150.520	ann	(P-16438/88; A-5201)	Tb. C
150.530	ann	(P-16438/88; A-5201)	Tb. F
150.550	ann	(P-16438/88; A-5201)	Tb. H
150.565	ann	(P-16438/88; A-5201)	Tb. I
150.665	ann	(P-16438/88; A-5201)	Tb. J
	ann	(P-16438/88; A-5201)	Tb. P

TITLE 80 (CONT'D)	
150.680	am (P-16438/88; A-5201)
250.50	am (P-17569/88; A-7324)
250.70	am (P-1921)
302.105	n (P-10569/88; A-10820)
302.190	am (P-1639)
302.200	am (P-1639)
302.625	am (P-1639)
302.800	r (P-15813/88; A-3722)
302.800	r (P-15813/88; A-3722)
302.810	n (P-15813/88; A-3722)
302.810	n (P-15813/88; A-3722)
302.820	n (P-15813/88; A-3722)
302.820	n (P-15813/88; A-3722)
302.822	r (P-15813/88; A-3722)
302.822	n (P-15813/88; A-3722)
302.824	r (P-15813/88; A-3722)
302.824	r (P-15813/88; A-3722)
302.825	r (P-15813/88; A-3722)
302.825	n (P-15813/88; A-3722)
302.830	n (P-15813/88; A-3722)
302.830	n (P-15813/88; A-3722)
302.840	r (P-15813/88; A-3722)
302.840	n (P-15813/88; A-3722)
302.841	r (P-15813/88; A-3722)
302.842	r (P-15813/88; A-3722)
302.846	r (P-15813/88; A-3722)
302.846	n (P-15813/88; A-3722)
302.850	n (P-15813/88; A-3722)
302.850	n (P-15813/88; A-3722)
302.860	r (P-15813/88; A-3722)
302.860	n (P-15813/88; A-3722)
302.863	n (P-15813/88; A-3722)
302.863	n (P-15813/88; A-3722)
310.30	am (P-1296; A-8849)
310.110	am (P-11117) (E-11854)
310.130	am (P-11117) (E-11854)
310.230	am (P-1296; A-8849) (P-10725) (E-10967)
310.280	am (P-1296; A-8849) (P-10725)
310.290	am (P-1296; A-8849) (P-10725)
310.320	am (P-1296; A-8849)
310.530	am (P-11117) (E-11854)
310.540	am (P-11117) (E-11854)
310.4p. A	am (P-20584/88; RC-1254) (PP-8080) (PP-8970) (P-10725) (P-11117) (E-11854)
Tb. A	am (P-10725)
Tb. B	am (P-10725)
Tb. C	am (PP-8970)
Tb. F	am (P-2892) (P-11117) (E-11854)
Tb. H	am (PP-8970)
Tb. I	am (PP-8970)
Tb. J	am (PP-8080) (PP-8970)
Tb. O	am (PP-8080) (PP-8970)
Tb. P	am (P-20584/88; RC-1254) (PP-8080)

TITLE 80 (CONT'D)		TITLE 80 (CONT'D)		TITLE 80 (CONT'D)		TITLE 80 (CONT'D)		TITLE 83 (CONT'D)		TITLE 83 (CONT'D)		
Tb. R am (PP-8970)	1125.80	am	(P-16375/88; O-22492/88; R-1905; A-1784)	1125.80	am	(P-253; A-9308) (E-629)	2700.740	am	(P-253; A-9308) (E-629)	285.3000	n	(P-5229)
Tb. W am (PP-8970)	1125.90	r	(P-16375/88; A-1784)	1125.90	r	(P-253; A-9308) (E-629)	2700.750	am	(P-253; A-9308) (E-629)	285.3005	n	(P-5229)
Tb. X am (PP-8970)	1125.100	n	(P-16375/88; A-1784)	1125.100	n	(P-253; A-9308) (E-629)	2700.820	am	(P-253; A-9308) (E-629)	285.3010	n	(P-5229)
Tb. Y am (PP-8970)	1570.40	n	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.40	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3015	n	(P-5229)
Tb. Z am (PP-8970)	1570.60	r	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.60	r	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3020	n	(P-5229)
Ap.B am (P-11117) (E-11854)	1570.70	am	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.70	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3025	n	(P-5229)
Ap.C am (P-11117) (E-11854)	1570.80	am	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.80	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3030	n	(P-5229)
Ap.D am (P-1327)	1570.90	am	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.90	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3035	n	(P-5229)
1100.10	1570.100	r	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.100	r	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3040	n	(P-5229)
1100.20	1570.110	r	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.110	r	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3045	n	(P-5229)
1100.30	1570.150	r	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.150	r	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3050	n	(P-5229)
1100.40	1570.160	am	(P-14122/88; O-22492/88; R-1626; A-1577)	1570.160	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3055	n	(P-5229)
1100.50	1600.50	am	(P-10769)	1600.50	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3060	n	(P-5229)
1100.60	2110.30	am	(P-1; A-9259) (E-214)	2110.30	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3061	n	(P-5229)
1100.70	2110.320	am	(P-1; A-9259) (E-214)	2110.320	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3065	n	(P-5229)
1100.80	2110.330	am	(P-1; A-9259) (E-214)	2110.330	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3070	n	(P-5229)
1100.90	2110.510	am	(P-1; A-9259) (E-214)	2110.510	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3075	n	(P-5229)
1101.00	2110.530	am	(P-1; A-9259) (E-214)	2110.530	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3080	n	(P-5229)
1101.10	2150.1	am	(P-10285/88; A-2402)	2150.1	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3100	n	(P-5229)
1101.20	2150.2	n	(P-10285/88; A-2402)	2150.2	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3110	n	(P-5229)
1101.30	2150.5	n	(P-10285/88; A-2402)	2150.5	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3115	n	(P-5229)
1101.40	2650.1	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.1	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3120	n	(P-5229)
1101.50	2650.5	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.5	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3125	n	(P-5229)
1101.60	2650.10	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.10	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.3130	n	(P-5229)
1101.70	2650.15	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.15	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4000	n	(P-5229)
1101.80	2650.20	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.20	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4001	n	(P-5229)
1101.90	2650.25	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.25	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4005	n	(P-5229)
1110.00	2650.30	n	(P-6871/88; O-1256; R-3411; A-3330)	2650.30	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4010	n	(P-5229)
1110.10	2700.200	am	(P-253; A-9308) (E-629)	2700.200	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4015	n	(P-5229)
1110.20	2700.440	am	(P-253; A-9308) (E-629)	2700.440	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4020	n	(P-5229)
1110.30	2700.620	am	(P-253; A-9308) (E-629)	2700.620	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.4025	n	(P-5229)
1110.40	2700.630	am	(P-253; A-9308) (E-629)	2700.630	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5000	n	(P-5229)
1110.50	2700.650	am	(P-253; A-9308) (E-629)	2700.650	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5005	n	(P-5229)
1110.60	2700.700	am	(P-253; A-9308) (E-629)	2700.700	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5010	n	(P-5229)
1110.70	2700.710	am	(P-253; A-9308) (E-629)	2700.710	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5015	n	(P-5229)
1110.80	2700.720	am	(P-253; A-9308) (E-629)	2700.720	am	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5020	n	(P-5229)
1110.90	2700.735	n	(P-253; A-9308) (E-629)	2700.735	n	(P-253; A-9308) (E-629)	2700.920	am	(P-253; A-9308) (E-629)	285.5025	n	(P-5229)
1120.00										285.5030	n	(P-5229)
1120.10										285.5035	n	(P-5229)
1120.20										285.5040	n	(P-5229)
1120.30										285.5045	n	(P-5229)
1120.40										285.5050	n	(P-5229)
1120.50										285.5055	n	(P-5229)
1121.00										285.5060	n	(P-5229)
1121.10										285.5065	n	(P-5229)
1121.20										285.5070	n	(P-5229)
1121.30										285.5075	n	(P-5229)
1121.40										285.5080	n	(P-5229)
1121.50										285.5085	n	(P-5229)
1122.00										285.5090	n	(P-5229)
1122.10										285.5095	n	(P-5229)
1122.20										285.5100	n	(P-5229)
1122.30										285.5105	n	(P-5229)
1122.40										285.5110	n	(P-5229)
1122.50										285.5115	n	(P-5229)
1123.00										285.5120	n	(P-5229)
1123.10										285.5125	n	(P-5229)
1123.20										285.5130	n	(P-5229)
1123.30										285.5135	n	(P-5229)
1123.40										285.5140	n	(P-5229)
1123.50										285.5145	n	(P-5229)
1124.00										285.5150	n	(P-5229)
1124.10										285.5155	n	(P-5229)
1124.20										285.5160	n	(P-5229)
1124.30										285.5165	n	(P-5229)
1124.40										285.5170	n	(P-5229)
1124.50										285.5175	n	(P-5229)
1125.00										285.5180	n	(P-5229)
1125.10										285.5185	n	(P-5229)
1125.20										285.5190	n	(P-5229)
1125.30										285.5195	n	(P-5229)
1125.40										285.5200	n	(P-5229)
1125.50										285.5205	n	(P-5229)
1126.00										285.5210	n	(P-5229)
1126.10										285.5215	n	(P-5229)
1126.20										285.5220	n	(P-5229)
1126.30										285.5225	n	(P-5229)
1126.40										285.5230	n	(P-5229)
1126.50										285.5235	n	(P-5229)
1127.00										285.5240	n	(P-5229)
1127.10										285.5245	n	(P-5229)
1127.20										285.5250	n	(P-5229)
1127.30										285.5255	n	(P-5229)
1127.40										285.5260	n	(P-5229)
1127.50										285.5265	n	(P-5229)
1128.00										285.5270	n	(P-5229)
1128.10										285.5275	n	(P-5229)
1128.20										285.5280	n	(P-5229)
1128.30										285.5285	n	(P-5229)
1128.40										285.5290	n	(P-5229)
1128.50										285.5295	n	(P-5229)
1129.00										285.5300	n	(P-5229)
1129.10										285.5305	n	(P-5229)
1129.20										285.5310	n	(P-5229)
1129.30										285.5315	n	(P-5229)
1129.40										285.5320	n	(P-5229)
1129.50										285.5325	n	(P-5229)
1130.00										285.5330	n	(P-5229)
1130.10										285.5335	n	(P-5229)
1130.20										285.5340	n	(P-5229)
1130.30										285.5345	n	(P-5229)
1130.40										285.5350	n	(P-5229)
1130.50										285.5355	n	(P-5229)
1131.00										285.5360	n	(P-5229)
1131.10										285.5365</		

TITLE #3 (CONT'D)

440.200	n	(P-3162/88; A-296)
440.210	n	(P-3162/88; A-296)
440.220	n	(P-3162/88; A-296)
440.240	n	(P-3162/88; A-296)
440.300	n	(P-3162/88; A-296)
440.310	n	(P-3162/88; A-296)
440.400	n	(P-3162/88; A-296)
440.410	n	(P-3162/88; A-296)
440.420	n	(P-3162/88; A-296)
440.430	n	(P-3162/88; A-296)
440.500	n	(P-3162/88; A-296)
440.510	n	(P-3162/88; A-296)
440.520	n	(P-3162/88; A-296)
440.600	n	(P-3162/88; A-296)
440.610	n	(P-3162/88; A-296)
440.620	n	(P-3162/88; A-296)
440.640	n	(P-3162/88; A-296)
440.650	n	(P-3162/88; A-296)
440.660	n	(P-3162/88; A-296)
440.700	n	(P-3162/88; A-296)
440.800	n	(P-3162/88; A-296)
440.810	n	(P-3162/88; A-296)
440.900	n	(P-3162/88; A-296)
440.910	n	(P-3162/88; A-296)
505.10	am	(P-1686; A-10858)
535.10	n	(P-9314/88; A-7331)
535.15	n	(P-9314/88; A-7331)
535.100	n	(P-9314/88; A-7331)
535.110	n	(P-9314/88; A-7331)
535.115	n	(P-9314/88; A-7331)
535.120	n	(P-9314/88; A-7331)
535.200	n	(P-9314/88; A-7331)
535.205	n	(P-9314/88; A-7331)
535.210	n	(P-9314/88; A-7331)
535.220	n	(P-9314/88; A-7331)
535.300	n	(P-9314/88; A-7331)
535.305	n	(P-9314/88; A-7331)
535.310	n	(P-9314/88; A-7331)
535.320	n	(P-9314/88; A-7331)
535.330	n	(P-9314/88; A-7331)
535.340	n	(P-9314/88; A-7331)
535.350	n	(P-9314/88; A-7331)
535.360	n	(P-9314/88; A-7331)
535.400	n	(P-9314/88; A-7331)
535.410	n	(P-9314/88; A-7331)
535.500	n	(P-9314/88; A-7331)
535.510	n	(P-9314/88; A-7331)
590.10	am	(P-9067)
595.120	am	(P-16309/88; A-2036)
710.10	am	(P-9076)
710.100	n	(P-19563/88; A-7570)
710.105	n	(P-19563/88; A-7570)
710.110	n	(P-19563/88; A-7570)
710.115	n	(P-19563/88; A-7570)
710.120	n	(P-19563/88; A-7570)
710.125	n	(P-19563/88; A-7570)

TITLE #3 (CONT'D)

710.130	n	(P-19563/88; A-7570)
710.135	n	(P-19563/88; A-7570)
710.140	n	(P-19563/88; A-7570)
710.145	n	(P-19563/88; A-7570)
710.150	n	(P-19563/88; A-7570)
710.155	n	(P-19563/88; A-7570)
710.160	n	(P-19563/88; A-7570)
710.165	n	(P-19563/88; A-7570)
710.170	n	(P-19563/88; A-7570)
710.175	n	(P-19563/88; A-7570)
710.180	n	(P-19563/88; A-7570)
710.185	n	(P-19563/88; A-7570)
710.190	n	(P-19563/88; A-7570)
710.200	n	(P-19563/88; A-7570)
710.205	n	(P-19563/88; A-7570)
710.210	n	(P-19563/88; A-7570)
710.215	n	(P-19563/88; A-7570)
710.220	n	(P-19563/88; A-7570)
710.225	n	(P-19563/88; A-7570)
710.230	n	(P-19563/88; A-7570)
710.235	n	(P-19563/88; A-7570)
710.240	n	(P-19563/88; A-7570)
710.2000	n	(P-19563/88; A-7570)

TITLE #6

100.2900	am	(P-10772)
100.2901	n	(P-10772)
100.2902	n	(P-10772)
100.2903	n	(P-10772)
100.2904	n	(P-10772)
100.3700	am	(P-2383; A-10952)
100.3706	am	(P-768; A-8917)
110.105	am	(P-22373/88; A-7469)
110.145	am	(P-20607/88; A-6803)
110.160	am	(P-22373/88; A-7469)
130.310	am	(P-8391)
130.901	am	(P-11084/88; A-11824)
130.1501	am	(P-11084/88; A-11824)
130.1505	am	(P-11084/88; A-11824)
130.1515	am	(P-11084/88; A-11824)
140.101	am	(P-10179)
140.105	am	(P-10179)
140.110	r	(P-10179)
140.115	r	(P-10179)
140.120	am	(P-10179)
140.125	am	(P-10179)
140.126	r	(P-10179)
140.130	r	(P-10179)
140.135	am	(P-10179)
140.140	am	(P-10179)
140.145	r	(P-10179)
140.201	am	(P-10179)
140.301	am	(P-10179)
140.305	am	(P-10179)
140.401	am	(P-10179)
140.405	am	(P-10179)

TITLE #6 (CONT'D)

140.410	am	(P-10179)
140.420	am	(P-10179)
140.425	am	(P-10179)
140.430	am	(P-10179)
140.501	am	(P-10179)
140.505	r	(P-10179)
140.1301	r	(P-10179)
140.1310	r	(P-10179)
140.1415	am	(P-10179)
140.1501	am	(P-10179)
140.1601	am	(P-10179)
140.1401	am	(P-1108/88; A-9388)
140.1405	am	(P-1108/88; A-9388)
140.1415	am	(P-7215)
150.325	am	(P-7215)
150.330	am	(P-7215)
150.1401	am	(P-7215)
150.1405	am	(P-7215)
151.101	n	(P-1498)
151.105	n	(P-1498)
151.110	n	(P-1498)
151.115	n	(P-1119/88; A-9399)
160.150	am	(P-1119/88; A-9399)
160.155	am	(P-1119/88; A-9399)
160.165	am	(P-11056/88; A-9332)
180.101	am	(P-20012/88; A-6808)
200.101	r	(P-19993/88; A-6789)
200.105	r	(P-20012/88; A-6808)
200.105	r	(P-19993/88; A-6789)
200.110	r	(P-20012/88; A-6808)
200.110	n	(P-19993/88; A-6789)
200.115	r	(P-20012/88; A-6808)
200.115	n	(P-19993/88; A-6789)
200.120	r	(P-19993/88; A-6789)
200.120	n	(P-20012/88; A-6808)
200.125	r	(P-20012/88; A-6808)
200.125	n	(P-19993/88; A-6789)
200.130	r	(P-20012/88; A-6808)
200.130	n	(P-19993/88; A-6789)
200.135	r	(P-20012/88; A-6808)
200.135	n	(P-19993/88; A-6789)
200.140	r	(P-20012/88; A-6808)
200.140	n	(P-19993/88; A-6789)
200.145	n	(P-19993/88; A-6789)
200.150	n	(P-19993/88; A-6789)
200.155	n	(P-19993/88; A-6789)
200.160	n	(P-19993/88; A-6789)
200.165	n	(P-19993/88; A-6789)
200.170	n	(P-19993/88; A-6789)
200.175	n	(P-19993/88; A-6789)
210.135	n	(P-11060/88; A-6782)
425.10	r	(P-19976/88; A-6780)
425.20	r	(P-19976/88; A-6780)
432.100	n	(P-15027/88; A-191)

TITLE #6 (CONT'D)

432.110	n	(P-15027/88; A-191)
432.120	n	(P-15027/88; A-191)
432.130	n	(P-15027/88; A-191)
432.140	n	(P-15027/88; A-191)
432.150	n	(P-15027/88; A-191)
432.160	n	(P-15027/88; A-191)
432.170	n	(P-15027/88; A-191)
432.180	n	(P-15027/88; A-191)
432.190	n	(P-15027/88; A-191)
432.200	n	(P-15027/88; A-191)
440.10	am	(P-11063/88; A-10678)
440.50	am	(P-11063/88; A-10678)
440.90	am	(P-11063/88; A-10678)
445.10	r	(P-19981/88; A-6785)
445.30	r	(P-19981/88; A-6785)
450.10	am	(P-11071/88; A-10687)
455.10	r	(P-19987/88; A-6787)
455.20	r	(P-19987/88; A-6787)
455.30	r	(P-19987/88; A-6787)
480.110	am	(P-11077/88; A-10693)
525.103	n	(E-5788; O-9607) (P-11184)
530.165	am	(P-11104/88; A-1589)
600.101	n	(P-1448; A-9336)
600.105	n	(P-1448; A-9336)
600.110	n	(P-1448; A-9336)
600.115	n	(P-1448; A-9336)
600.120	n	(P-1448; A-9336)
600.125	n	(P-1448; A-9336)
600.130	n	(P-1448; A-9336)
600.135	n	(P-1448; A-9336)
610.101	n	(P-1460; A-9336)
610.105	n	(P-1460; A-9336)
610.110	n	(P-1460; A-9336)
610.115	n	(P-1460; A-9336)
610.120	n	(P-1460; A-9336)
610.125	n	(P-1460; A-9336)
610.130	n	(P-1460; A-9336)
610.135	n	(P-1460; A-9336)
620.101	n	(P-1468; A-9357)
620.105	n	(P-1468; A-9357)
620.110	n	(P-1468; A-9357)
620.115	n	(P-1468; A-9357)
620.120	n	(P-1468; A-9357)
630.101	n	(P-1473; A-9362)
630.105	n	(P-1473; A-9362)
630.110	n	(P-1473; A-9362)
630.115	n	(P-1473; A-9362)
630.120	n	(P-1473; A-9362)
630.125	n	(P-1473; A-9362)
630.130	n	(P-1473; A-9362)
630.135	n	(P-1473; A-9362)
640.101	n	(P-1485; A-9374)
640.105	n	(P-1485; A-9374)
640.110	n	(P-1485; A-9374)
640.115	n	(P-1485; A-9374)

TITLE 86 (CONT'D)			TITLE 89 (CONT'D)			TITLE 89 (CONT'D)			TITLE 89 (CONT'D)		
640.120	n	(P-1485; A-9374)	112.5	n	(P-20661/88; A-6017)	130.312	am	(P-4469)	140.375	re	(A-9572)
640.125	n	(P-1485; A-9374)	112.40	am	(P-1948)	130.313	am	(P-4469)	140.376	r	(P-5958/88; A-3351)
640.130	n	(P-1485; A-9374)	112.78	am	(P-22308/88; A-6017)	130.314	am	(P-4469)	140.390	am	(P-17643/88; A-5115)
640.135	n	(P-1485; A-9374)	112.81	n	(P-8246)	130.321	am	(P-4469)	140.390	re	(A-9572)
650.101	n	(P-1493; A-9383)	112.98	am	(P-2236; A-8567)	130.500	n	(P-20649/88; A-3831)	140.391	re	(A-9572)
650.105	n	(P-1493; A-9383)	112.252	am	(P-15905/88; A-70)	140.16	am	(P-2937)	140.392	re	(A-9572)
650.110	n	(P-1493; A-9383)	112.253	am	(P-15905/88; A-70)	140.17	am	(P-2937)	140.392	am	(P-17643/88; A-5115)
650.115	n	(P-1493; A-9383)	112.254	am	(P-15905/88; A-70)	140.19	am	(P-12976/88; A-3917)	140.394	am	(P-17643/88; A-5115)
650.120	n	(P-1493; A-9383)	112.318	n	(P-4116)	140.20	am	(P-20714/88; A-7786)	140.394	re	(A-9572)
1910.5	n	(P-8790)	113.5	n	(P-20654/88; A-6007)	140.21	n	(P-3295)	140.396	re	(A-9572)
1910.10	am	(P-8790)	113.142	am	(P-15898/88; A-63)	140.43	n	(P-19868/88; A-7025)	140.398	re	(A-9572)
1910.20	am	(P-8790)	113.157	n	(P-5440)	140.44	re	(A-9572)	140.400	am	(P-17172/88; A-2475)
1910.25	am	(P-8790)	113.253	am	(E-3402; P-15898/88; A-63)	140.95	re	(A-9572)	140.401	am	(P-17172/88; A-2475)
1910.30	am	(P-8790)	113.260	am	(P-22299/88; A-6007)	140.96	re	(A-9572)	140.441	am	(P-17172/88; A-2475)
1910.40	am	(P-8790)	113.302	am	(P-22299/88; A-6007)	140.97	re	(A-9572)	140.443	am	(P-17172/88; A-2475)
1910.50	#	(P-8790)	114.5	n	(P-20967/88; A-3900)	140.98	re	(A-9572)	140.445	am	(P-17172/88; O-1263; R-2538; A-2475)
1910.60	am	(P-8790)	114.127	am	(P-14996/88; A-89) (P-1959; A-8580)	140.99	re	(A-9572)	140.447	am	(P-17172/88; A-2475)
1910.65	n	(P-8790)	114.128	am	(P-17621/88; A-1546)	140.100	re	(A-9572)	140.490	am	(P-11157)
1910.67	#	(P-8790)	114.220	am	(P-5456)	140.101	re	(A-9572)	140.491	am	(P-11157)
1910.68	am	(P-8790)	114.240	r	(P-5456)	140.102	re	(A-9572)	140.492	am	(P-11157)
1910.69	n	(P-8790)	114.351	am	(P-15924/88; A-89)	140.103	re	(A-9572)	140.497	n	(P-7546)
1910.70	am	(P-8790)	114.352	am	(P-15924/88; A-89)	140.104	re	(A-9572)	140.512	am	(P-11995/88; A-125)
1910.75	n	(P-8790)	114.353	am	(P-15924/88; A-89)	140.110	re	(A-12118)	140.525	am	(P-17172/88; A-5718)
1910.90	n	(P-8790)	115.1	n	(P-20735/88; A-3932)	140.116	n	(A-12119)	140.526	am	(P-1420; A-11516)
1910.95	n	(P-8790)	115.10	am	(P-2702)	140.117	re	(A-9572)	140.569	am	(P-5465) (E-10977)
			115.30	am	(P-2702)	140.200	re	(A-9572)	140.850	re	(A-7040)
			116.10	n	(P-20683/88; A-3847)	140.202	re	(A-9572)	140.855	re	(A-7040)
			117.1	n	(P-20739/88; A-3936)	140.203	re	(A-9572)	140.860	re	(A-7040)
			117.20	am	(P-5487)	140.300	re	(A-9572)	140.865	re	(A-7040)
			118.300	n	(P-20735/88; A-3950)	140.350	am	(P-5958/88; A-3351)	140.870	re	(A-7040)
			120.1	n	(P-20705/88; A-3908)	140.350	re	(A-9572)	140.875	re	(A-7040)
			120.10	am	(E-11929)	140.360	re	(A-9572)	140.880	re	(A-7040)
			120.31	am	(P-9996)	140.361	re	(A-9572)	140.885	re	(A-7040)
			120.40	am	(P-17633/88; A-2081)	140.362	re	(A-9572)	140.890	re	(A-7040)
			120.60	am	(E-11929)	140.362	am	(P-5958/88; A-3351)	140.896	re	(A-7040)
			120.62	am	(E-11929)	140.363	am	(P-5958/88; A-3351)	140.896	n	(P-11701/88; A-5718)
			120.63	am	(E-11929)	140.363	re	(A-9572)	141.100	am	(P-7873) (E-8036)
			120.70	am	(P-3281)	140.364	re	(A-9572)	141.200	am	(P-20370/88; A-3850) (P-7873) (E-8036)
			120.72	n	(P-3281)	140.364	r	(P-5958/88; A-3351)	141.360	am	(P-7873) (E-8036)
			120.74	n	(P-3281)	140.364	r	(P-5958/88; A-3351)	141.400	am	(P-15483/88; A-516) (P-7873) (E-8036)
			120.76	n	(P-3281)	140.365	re	(A-9572)	141.480	am	(P-15483/88; A-516) (P-7873) (E-8036)
			120.284	n	(E-11929)	140.366	re	(A-9572)	141.520	am	(P-7873) (E-8036)
			120.346	n	(P-10753)	140.367	re	(A-9572)	141.560	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
			120.380	am	(P-10753)	140.367	am	(P-5958/88; A-3351)	141.720	am	(P-20370/88; A-3850)
			120.382	am	(P-15938/88; A-116) (P-3281)	140.369	am	(P-5958/88; A-3351)	141.800	am	(P-15483/88; A-516) (P-7873) (E-8036)
			120.384	n	(E-11929)	140.369	re	(A-9572)	141.1000	am	(P-7873) (E-8036)
			120.393	n	(P-9250) (E-12137)	140.370	re	(A-9572)	141.1160	am	(P-15483/88; A-516)
			121.58	am	(P-3541)	140.370	am	(P-5958/88; A-3351)	141.1200	am	(P-7873) (E-8036)
			121.62	am	(P-3541)	140.371	re	(A-9572)	141.1240	am	(P-15483/88; A-516) (P-7873) (E-8036)
			121.135	n	(P-20670/88; A-3890)	140.372	re	(A-9572)			
			130.301	am	(P-4469)	140.372	r	(P-5958/88; A-3351)			
			130.302	am	(P-4469)	140.373	r	(P-5958/88; A-3351)			
			130.310	am	(P-4469)	140.374	re	(A-9572)			

TITLE #9 (CONT'D)

141.1280	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
141.1320	am	(P-7873) (E-8036)
141.1480	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.1520	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.1680	am	(P-15483/88; A-516) (P-20370/88; A-3850)
141.1760	am	(P-15483/88; A-516)
141.2080	am	(P-9992) (E-10700)
141.2280	am	(P-15483/88; A-516)
141.2360	am	(P-15483/88; A-516)
141.2400	am	(P-15483/88; A-516)
141.2600	am	(P-20370/88; A-3850)
141.2760	am	(P-15483/88; A-516) (P-20370/88; A-3850)
141.2920	am	(P-20370/88; A-3850)
141.2960	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-9992) (E-10700)
141.3080	am	(P-7873) (E-8036)
141.3280	am	(P-20370/88; A-3850)
141.3320	am	(P-7873) (E-8036)
141.3400	am	(P-15483/88; A-516)
141.3440	am	(P-15483/88; A-516)
141.3480	am	(P-15483/88; A-516)
141.3520	am	(P-7873) (E-8036)
141.3560	am	(P-7873) (E-8036)
141.3600	am	(P-20370/88; A-3850)
141.3760	am	(P-15483/88; A-516)
141.3800	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
141.3840	am	(P-15483/88; A-516) (P-9992) (E-10700)
141.3920	am	(P-20370/88; A-3850) (P-7873) (E-8036)
141.4000	am	(P-15483/88; A-516)
141.4040	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.4160	am	(P-15483/88; A-516)
141.4200	am	(P-20370/88; A-3850) (P-7873) (E-8036)
141.4230	n	(P-20370/88; A-3850)
141.4440	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.4520	am	(P-15483/88; A-516)
141.4600	am	(P-7873) (E-8036)
141.4640	am	(P-7873) (E-8036)
141.4720	am	(P-15483/88; A-516)
141.4760	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.4800	am	(P-20370/88; A-3850)
144.5	n	(P-11999)
144.25	n	(P-11999)
144.50	n	(P-11999)
144.75	n	(P-11999)

TITLE #9 (CONT'D)

148.260	re	(A-9572)
148.270	re	(A-9572)
148.280	re	(A-9572)
148.290	re	(A-9572)
148.300	re	(A-9572)
148.310	re	(A-9572)
148.320	re	(A-9572)
148.330	re	(A-9572)
148.340	re	(A-9572)
148.350	re	(A-9572)
148.360	re	(A-9572)
148.370	re	(A-9572)
148.380	re	(A-9572)
148.390	re	(A-9572)
149.100	am	(P-3553)
149.105	am	(P-13917/88; A-554)
160.1	n	(P-21039/88; A-4268)
160.5	n	(P-1396; A-7761)
160.10	am	(P-1396; A-7761) (P-7867)
160.60	am	(P-8255)
160.70	am	(P-20677/88; A-4268) (P-8255)
160.100	am	(P-1396; A-7761)
160.110	n	(P-1396; A-7761)
160.120	n	(P-1396; A-7761)
160.130	n	(P-1396; A-7761)
160.140	n	(P-1396; A-7761)
160.150	n	(P-1396; A-7761)
160.160	n	(P-1396; A-7761)
165.1	n	(P-20679/88; A-3843)
165.10	am	(P-5450)
165.20	am	(P-5450)
165.70	am	(P-5450)
170.100	n	(P-4490)
170.110	n	(P-4490)
170.120	n	(P-4490)
170.130	n	(P-4490)
170.200	n	(P-4490)
230.360	am	(P-14777/88; A-2015)
230.362	am	(P-14777/88; A-2015)
230.365	am	(P-14777/88; A-2015)
230.510	n	(P-12137/88; A-3054)
230.520	n	(P-12137/88; A-3054)
230.530	n	(P-12137/88; A-3054)
230.540	n	(P-12137/88; A-3054)
230.550	n	(P-12137/88; A-3054)
230.560	n	(P-12137/88; A-3054)
230.570	n	(P-12137/88; A-3054)
230.580	n	(P-12137/88; A-3054)
240.110	am	(P-10821/88; A-11193)
240.120	am	(P-10821/88; A-11193)
240.150	r	(P-10821/88; A-11193)
240.160	n	(P-10821/88; A-11193)
240.210	am	(P-10821/88; A-11193)
240.220	am	(P-10821/88; A-11193)
240.230	am	(P-10821/88; A-11193)
240.240	am	(P-10821/88; A-11193)

TITLE #9 (CONT'D)		TITLE #9 (CONT'D)		TITLE #9 (CONT'D)	
240.860	am (P-10821/88; A-11193)	334.12	am (P-11915/88; A-6986)	510.420	r (P-3020)
240.865	am (P-10821/88; A-11193)	334.13	am (P-11915/88; A-6986)	520.20	am (P-6911/88; A-5149)
240.870	am (P-10821/88; A-11193)	357.2	am (P-13807/88; A-3344)	520.30	am (P-6911/88; A-5149)
240.875	am (P-10821/88; A-11193)	357.3	am (P-13807/88; A-3344)	520.100	am (P-1411/88; A-9580)
240.905	am (P-10821/88; A-11193)	357.11	am (P-13744/88; A-5917)	525.10	n (P-3565/88; A-141)
240.910	am (P-10821/88; A-11193)	385.20	am (P-13744/88; A-5917)	530.5	n (P-3565/88; A-141)
240.915	am (P-10821/88; A-11193)	385.30	am (P-13744/88; A-5917)	530.10	am (P-3565/88; A-141)
240.920	am (P-10821/88; A-11193)	385.40	am (P-13744/88; A-5917)	530.20	am (P-3565/88; A-141)
240.925	# (P-10821/88; A-11193)	431.5	am (P-11922/88; O-22457/88; R-2532; A-2407)	530.100	r (P-3565/88; A-141)
240.930	n (P-10821/88; A-11193)	431.6	am (P-11922/88; A-2407)	530.105	r (P-3565/88; A-141)
240.935	n (P-10821/88; A-11193)	431.7	am (P-11922/88; A-2407)	530.110	am (P-3565/88; A-141)
240.940	am (P-10821/88; A-11193)	431.11	n (P-11922/88; O-22457/88; R-2532; A-2407)	530.120	r (P-3565/88; A-141)
240.945	am (P-10821/88; A-11193)	431.12	# (P-5225)	530.130	am (P-3565/88; A-141)
240.950	am (P-10821/88; A-11193)	432.8	n (P-5225)	530.140	am (P-3565/88; A-141)
240.1010	am (P-10821/88; A-11193)	432.9	# (P-5225)	530.150	r (P-3565/88; A-141)
240.1020	am (P-10821/88; A-11193)	437.4	am (P-13752/88; A-3339)	530.200	n (P-3565/88; A-141)
240.1040	n (P-10821/88; A-11193)	437.8	n (P-13752/88; A-3339)	530.230	n (P-3565/88; A-141)
240.1050	n (P-10821/88; A-11193)	437.9	am (P-13752/88; A-3339)	530.240	n (P-3565/88; A-141)
240.1110	r (P-10821/88; A-11193)	510.10	n (P-3036)	530.260	n (P-3565/88; A-141)
240.1120	n (P-10821/88; A-11193)	510.10	n (P-3036)	552.35	am (P-11177)
240.1130	r (P-10821/88; A-11193)	510.10	n (P-3036)	552.40	am (P-277; A-9576)
240.1140	n (P-10821/88; A-11193)	510.20	n (P-3036)	552.50	am (P-11177)
240.1160	n (P-10821/88; A-11193)	510.30	n (P-3036)	552.60	am (P-11177)
240.1170	n (P-10821/88; A-11193)	510.40	n (P-3036)	552.80	am (P-11177)
240.1180	n (P-10821/88; A-11193)	510.50	n (P-3036)	552.90	am (P-11177)
240.1210	am (P-10821/88; A-11193)	510.60	n (P-3036)	552.100	am (P-52; W-4309)
240.1310	am (P-10821/88; O-9594; R-11956; A-11193)	510.70	n (P-3036)	557.10	am (P-5914)
240.1320	am (P-10821/88; A-11193)	510.80	n (P-3036)	562.30	am (P-4685/88; A-2866)
240.1330	r (P-10821/88; A-11193)	510.90	n (P-3036)	567.10	am (P-281; A-9590)
240.1396	r (P-10821/88; A-11193)	510.100	n (P-3036)	567.30	am (P-10175)
240.1397	r (P-10821/88; A-11193)	510.110	n (P-3036)	587.50	am (P-2192/88; A-1850)
240.1398	am (P-10821/88; A-11193)	510.120	n (P-3036)	587.100	r (P-10765)
240.1399	am (P-10821/88; A-11193)	510.130	n (P-3036)	587.130	n (P-2192/88; A-1850)
240.1400	n (P-685)	510.140	r (P-3020)	587.500	am (P-2192/88; A-1850)
240.1410	am (P-685)	510.20	r (P-3020)	587.600	am (P-10765)
240.1420	am (P-685)	510.210	r (P-3020)	592.45	n (P-2092/88; A-1573)
240.1430	n (P-685)	510.220	r (P-3020)	597.20	am (P-2197/88; A-1568)
240.1440	n (P-685)	510.230	r (P-3020)	597.150	n (P-2197/88; A-1568)
240.1450	n (P-685)	510.240	r (P-3020)	597.150	am (P-7212)
240.1510	am (P-10821/88; A-11193)	510.250	r (P-3020)	607.60	am (P-56; A-9586)
240.1520	am (P-10821/88; A-11193)	510.260	r (P-3020)	622.20	am (P-8387)
240.1530	am (P-10821/88; A-11193)	510.270	r (P-3020)	650.700	n (P-15520/88; A-7465)
240.1535	am (P-10821/88; A-11193)	510.280	r (P-3020)	675.300	am (P-13956/88; A-6768)
240.1540	am (P-10821/88; A-11193)	510.290	r (P-3020)	685.600	am (P-15023/88; A-5158)
240.1545	am (P-10821/88; A-11193)	510.300	r (P-3020)	693.200	am (P-8384)
240.1550	am (P-10821/88; A-11193)	510.310	r (P-3020)	700.200	am (P-10409/88; A-3101)
240.1555	am (P-10821/88; A-11193)	510.320	r (P-3020)	700.300	am (P-10409/88; A-3101)
240.1560	am (P-10821/88; A-11193)	510.330	r (P-3020)	712.100	am (P-10377/88; A-10643)
240.1565	am (P-10821/88; A-11193)	510.340	r (P-3020)	712.200	am (P-10377/88; A-10643)
240.1570	n (P-10821/88; A-11193)	510.350	r (P-3020)	712.300	am (P-10377/88; A-10643)
240.1575	n (P-10821/88; A-11193)	510.360	r (P-3020)	712.400	am (P-10377/88; A-10643)
240.1580	n (P-10821/88; A-11193)	510.370	r (P-3020)	712.1000	n (P-10377/88; A-10643)
240.1590	n (P-10821/88; A-11193)	510.380	r (P-3020)	712.1000	n (P-10377/88; A-10643)
240.1600	n (P-10821/88; A-11193)	510.390	r (P-3020)	714.10	am (P-4152)
		510.410	r (P-3020)	714.20	am (P-4152)

TITLE 89 (CONT'D)

714.30	am	(P-4152)	96.100	n	(P-15049/88; A-3384)	452.170	r	(P-16447/88; W-2881) (P-10222)	518.855	n	(PP-7057)
714.40	n	(P-4152)	96.110	n	(P-15049/88; A-3384)	452.Tb.A	r	(P-16447/88; W-2881) (P-10222)	518.860	n	(PP-7057)
714.310	n	(P-13952/88; A-8911)	96.120	n	(P-15049/88; A-3384)	452.Tb.B	r	(P-16447/88; W-2881) (P-10222)	518.865	n	(PP-7057)
760.440	am	(P-20431/88; A-9329)	96.130	n	(P-15049/88; A-3384)	452.Tb.C	r	(P-16447/88; W-2881) (P-10222)	518.870	n	(PP-7057)
765.10	am	(P-13948/88; A-5154)	96.140	n	(P-15049/88; A-3384)	452.Tb.D	r	(P-16447/88; W-2881) (P-10222)	518.875	n	(PP-7057)
825.10	am	(P-13941/88; A-7958)	96.Ex. A	n	(P-15049/88; A-3384)	452.Tb.E	r	(P-16447/88; W-2881) (P-10222)	518.890	n	(PP-7057)
829.10	n	(P-5990/88; A-5755)	171.4	n	(P-20032/88; A-3984)	452.Ex.A	r	(P-16447/88; W-2881) (P-10222)	518.905	n	(PP-7057)
829.20	n	(P-5990/88; A-5755)	171.21	n	(P-20032/88; A-3984)	518.10	n	(PP-7057)	518.910	n	(PP-7057)
829.30	n	(P-5990/88; A-5755)	171.1000	am	(P-20032/88; A-3984)	518.15	n	(PP-7057)	518.915	n	(PP-7057)
829.40	n	(P-5990/88; A-5755)	172.2000	am	(P-20040/88; A-3993)	518.20	n	(PP-7057)	518.920	n	(PP-7057)
829.50	n	(P-5990/88; A-5755)	173.3000	am	(P-20055/88; A-3998)	518.100	n	(PP-7057)	518.925	n	(PP-7057)
829.60	n	(P-5990/88; A-5755)	177.2000	am	(P-20027/88; A-3957)	518.105	n	(PP-7057)	518.1000	n	(PP-7057)
829.70	n	(P-5990/88; A-5755)	178.2000	am	(P-20045/88; A-4004)	518.110	n	(PP-7057)	518.1005	n	(PP-7057)
829.80	n	(P-5990/88; A-5755)	448.Ap. A	am	(P-1127; A-7973)	518.115	n	(PP-7057)	518.2000	n	(PP-7057)
829.90	n	(P-5990/88; A-5755)	Ex. A	am	(P-1127; A-7973)	518.120	n	(PP-7057)	518.2005	n	(PP-7057)
843.10	am	(P-15015/88; A-4298)	451.10	n	(P-16536/88; W-2882) (P-10311)	518.125	n	(PP-7057)	518.2010	n	(PP-7057)
843.50	am	(P-15015/88; A-4298)	451.20	n	(P-16536/88; W-2882) (P-10311)	518.130	n	(PP-7057)	518.3000	n	(PP-7057)
843.60	am	(P-15015/88; A-4298)	451.30	n	(P-16536/88; W-2882) (P-10311)	518.135	n	(PP-7057)	518.3005	n	(PP-7057)
843.70	am	(P-15015/88; A-4298)	451.40	n	(P-16536/88; W-2882) (P-10311)	518.140	n	(PP-7057)	518.3010	n	(PP-7057)
843.150	am	(P-15015/88; A-4298)	451.50	n	(P-16536/88; W-2882) (P-10311)	518.145	n	(PP-7057)	518.4000	n	(PP-7057)
843.160	am	(P-15015/88; A-4298)	451.60	n	(P-16536/88; W-2882) (P-10311)	518.200	n	(PP-7057)	518.4005	n	(PP-7057)
845.40	n	(P-4641)	451.70	n	(P-16536/88; W-2882) (P-10311)	518.300	n	(PP-7057)	518.4010	n	(PP-7057)
870.10	am	(P-8379)	451.80	n	(P-16536/88; W-2882) (P-10311)	518.305	n	(PP-7057)	518.4015	n	(PP-7057)
870.11	n	(P-8379)	451.90	n	(P-16536/88; W-2882) (P-10311)	518.310	n	(PP-7057)	518.4020	n	(PP-7057)
870.20	am	(P-8379)	451.100	n	(P-16536/88; W-2882) (P-10311)	518.315	n	(PP-7057)	518.4025	n	(PP-7057)
895.10	n	(P-3310)	451.110	n	(P-16536/88; W-2882) (P-10311)	518.320	n	(PP-7057)	518.4030	n	(PP-7057)
895.20	n	(P-3310)	451.120	n	(P-16536/88; W-2882) (P-10311)	518.400	n	(PP-7057)	518.4035	n	(PP-7057)
895.30	n	(P-3310)	451.130	n	(P-16536/88; W-2882) (P-10311)	518.405	n	(PP-7057)	518.4040	n	(PP-7057)
895.40	n	(P-3310)	451.140	n	(P-16536/88; W-2882) (P-10311)	518.410	n	(PP-7057)	518.4045	n	(PP-7057)
895.50	n	(P-3310)	451.150	n	(P-16536/88; W-2882) (P-10311)	518.415	n	(PP-7057)	518.4050	n	(PP-7057)
895.60	n	(P-3310)	451.160	n	(P-16536/88; W-2882) (P-10311)	518.420	n	(PP-7057)	518.4055	n	(PP-7057)
895.70	n	(P-3310)	451.Ap.A	n	(P-16536/88; W-2882) (P-10311)	518.500	n	(PP-7057)	518.4060	n	(PP-7057)
1200.20	am	(P-20613/88; A-9283)	451.Ap.B	n	(P-16536/88; W-2882) (P-10311)	518.505	n	(PP-7057)	518.4065	n	(PP-7057)
1200.30	am	(P-20613/88; A-9283)	451.Ap.C	n	(P-16536/88; W-2882) (P-10311)	518.600	n	(PP-7057)	518.4070	n	(PP-7057)
1200.40	am	(P-20613/88; A-9283)	451.Ap.D	n	(P-16536/88; W-2882) (P-10311)	518.700	n	(PP-7057)	518.4075	n	(PP-7057)
1200.50	am	(P-20613/88; A-9283)	451.Ap.E	n	(P-16536/88; W-2882) (P-10311)	518.705	n	(PP-7057)	518.4080	n	(PP-7057)
1200.60	am	(P-20613/88; A-9283)	451.Ap.F	n	(P-16536/88; W-2882) (P-10311)	518.710	n	(PP-7057)	518.4085	n	(PP-7057)
1200.70	am	(P-20613/88; A-9283)	451.Ap.G	n	(P-16536/88; W-2882) (P-10311)	518.715	n	(PP-7057)	518.4090	n	(PP-7057)
1300.340	am	(P-19223/88; A-4644)	451.II.A	n	(P-16536/88; W-2882) (P-10311)	518.720	n	(PP-7057)	518.4095	n	(PP-7057)
			451.II.B	n	(P-16536/88; W-2882) (P-10311)	518.725	n	(PP-7057)	518.4100	n	(PP-7057)
			452.10	r	(P-16447/88; W-2881) (P-10222)	518.730	n	(PP-7057)	518.5000	n	(PP-7057)
			452.20	r	(P-16447/88; W-2881) (P-10222)	518.735	n	(PP-7057)	518.Ex. A	n	(PP-7057)
			452.30	r	(P-16447/88; W-2881) (P-10222)	518.740	n	(PP-7057)	534.20	am	(P-2760; A-10963)
			452.40	r	(P-16447/88; W-2881) (P-10222)	518.745	n	(PP-7057)	534.210	am	(P-15952/88; A-1866)
			452.50	r	(P-16447/88; W-2881) (P-10222)	518.750	n	(PP-7057)	545.100	n	(P-1111; RC-8141)
			452.60	r	(P-16447/88; W-2881) (P-10222)	518.800	n	(PP-7057)	545.200	n	(P-1111; RC-8141)
			452.70	r	(P-16447/88; W-2881) (P-10222)	518.805	n	(PP-7057)	545.300	n	(P-1111; RC-8141)
			452.80	r	(P-16447/88; W-2881) (P-10222)	518.810	n	(PP-7057)	545.400	n	(P-1111; RC-8141)
			452.90	r	(P-16447/88; W-2881) (P-10222)	518.815	n	(PP-7057)	708.80	am	(P-1503; A-8667)
			452.100	r	(P-16447/88; W-2881) (P-10222)	518.820	n	(PP-7057)	708.90	am	(P-1503; A-8667)
			452.110	r	(P-16447/88; W-2881) (P-10222)	518.825	n	(PP-7057)	708.180	am	(P-1503; A-8667)
			452.120	r	(P-16447/88; W-2881) (P-10222)	518.830	n	(PP-7057)	1000.10	am	(P-3316; A-11844)
			452.130	r	(P-16447/88; W-2881) (P-10222)	518.835	n	(PP-7057)	1000.20	am	(P-3316; A-11844)
			452.140	r	(P-16447/88; W-2881) (P-10222)	518.840	n	(PP-7057)	1000.41	n	(P-17269/88; A-5185)
			452.150	r	(P-16447/88; W-2881) (P-10222)	518.845	n	(PP-7057)	1000.50	am	(P-3316; A-11844)
			452.160	r	(P-16447/88; W-2881) (P-10222)	518.850	n	(PP-7057)	1000.60	am	(P-3316; A-11844)

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452.170	r	(P-16447/88; W-2881) (P-10222)	518.855	n	(PP-7057)
452.Tb.A	r	(P-16447/88; W-2881) (P-10222)	518.860	n	(PP-7057)
452.Tb.B	r	(P-16447/88; W-2881) (P-10222)	518.865	n	(PP-7057)
452.Tb.C	r	(P-16447/88; W-2881) (P-10222)	518.870	n	(PP-7057)
452.Tb.D	r	(P-16447/88; W-2881) (P-10222)	518.875	n	(PP-7057)
452.Tb.E	r	(P-16447/88; W-2881) (P-10222)	518.900	n	(PP-7057)
452.Ex.A	r	(P-16447/88; W-2881) (P-10222)	518.905	n	(PP-7057)
518.10	n	(PP-7057)	518.910	n	(PP-7057)
518.15	n	(PP-7057)	518.915	n	(PP-7057)
518.20	n	(PP-7057)	518.920	n	(PP-7057)
518.100	n	(PP-7057)	518.925	n	(PP-7057)
518.105	n	(PP-7057)	518.1000	n	(PP-7057)
518.110	n	(PP-7057)	518.1005	n	(PP-7057)
518.115	n	(PP-7057)	518.2000	n	(PP-7057)
518.120	n	(PP-7057)	518.2005	n	(PP-7057)
518.125	n	(PP-7057)	518.2010	n	(PP-7057)
518.130	n	(PP-7057)	518.3000	n	(PP-7057)
518.135	n	(PP-7057)	518.3005	n	(PP-7057)
518.140	n	(PP-7057)	518.3010	n	(PP-7057)
518.145	n	(PP-7057)	518.4000	n	(PP-7057)
518.200	n	(PP-7057)	518.4005	n	(PP-7057)
518.300	n	(PP-7057)	518.4010	n	(PP-7057)
518.305	n	(PP-7057)	518.4015	n	(PP-7057)
518.310	n	(PP-7057)	518.4020	n	(PP-7057)
518.315	n	(PP-7057)	518.4025	n	(PP-7057)
518.320	n	(PP-7057)	518.4030	n	(PP-7057)
518.400	n	(PP-7057)	518.4035	n	(PP-7057)
518.405	n	(PP-7057)	518.4040	n	(PP-7057)
518.410	n	(PP-7057)	518.4045	n	(PP-7057)
518.415	n	(PP-7057)	518.4050	n	(PP-7057)
518.420	n	(PP-7057)	518.4055	n	(PP-7057)
518.500	n	(PP-7057)	518.4060	n	(PP-7057)
518.505	n	(PP-7057)	518.4065	n	(PP-7057)
518.600	n	(PP-7057)	518.4070	n	(PP-7057)
518.700	n	(PP-7057)	518.4075	n	(PP-7057)
518.705	n	(PP-7057)	518.4080	n	(PP-7057)
518.710	n	(PP-7057)	518.4085	n	(PP-7057)
518.715	n	(PP-7057)	518.4090	n	(PP-7057)
518.720	n	(PP-7057)	518.4095	n	(PP-7057)
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518.730	n	(PP-7057)	518.5000	n	(PP-7057)
518.735	n	(PP-7057)	518.Ex. A	n	(PP-7057)
518.740	n	(PP-7057)	534.20	am	(P-2760; A-10963)
518.745	n	(PP-7057)	534.210	am	(P-15952/88; A-1866)
518.750	n	(PP-7057)	545.100	n	(P-1111; RC-8141)
518.800	n	(PP-7057)	545.200	n	(P-1111; RC-8141)
518.805	n	(PP-7057)	545.300	n	(P-1111; RC-8141)
518.810	n	(PP-7057)	545.400	n	(P-1111; RC-8141)
518.815	n	(PP-7057)	708.80	am	(P-1503; A-8667)
518.820	n	(PP-7057)	708.90	am	(P-1503; A-8667)
518.825	n	(PP-7057)	708.180	am	(P-1503; A-8667)
518.830	n	(PP-7057)	1000.10	am	(P-3316; A-11844)
518.835	n	(PP-7057)	1000.20	am	(P-3316; A-11844)
518.840	n	(PP-7057)	1000.41	n	(P-17269/88; A-5185)
518.845	n	(PP-7057)	1000.50	am	(P-3316; A-11844)
518.850	n	(PP-7057)	1000.60	am	(P-3316; A-11844)

This part of the Sections Affected Index lists only those Sections on which rulemaking is occurring in this issue of the Illinois Register. For previous action on these Sections in this volume of the Register, please refer to the first part of this index which begins on page SAI-1.

[illegible]

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1000.70	r (P-3316; A-11844)	1040.30	am (P-17259/88; A-5162)
1000.80	r (P-3316; A-11844)	1040.31	n (P-9490)
1000.120	am (P-3316; A-11844)	1040.40	am (P-17259/88; A-5162)
1001.30	am (P-7229)	1040.41	am (P-20760/88; A-8659)
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1001.60	am (P-7229)	1040.66	n (P-15947/88; A-1593)
1001.70	am (P-7229)	1040.70	am (P-19636/88; A-7802)
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1001.320	am (P-7229)	1235.25	n (P-17045/88; A-4658)
1001.330	am (P-7229)	1235.30	n (P-17045/88; A-4658)
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1001.420	am (P-7229)	1235.55	n (P-17045/88; A-4658)
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